Comment Letter I101 (Tom Simon, April 14, 2010)

I101

Kris Livingston

From: Tom Simon [tsimon57@pacbell.net]
Sent: Wednesday, April 14, 2010 2:42 PM
To: HSR Comments
Subject: HSR CEQA comments

TO: Dan Leavitt
California High-Speed Rail Authority

I am concerned with the currently proposed High Speed Rail route through North Willow Glenn having adverse effects on the community.

If the planned route is implemented the community will lose numerous houses, a church, and much of Fuller Park. In addition, the Environmental Impact Report results show that there would be a negative "medium level" noise and vibration impacts to the residential neighborhood. I101-1

Based on these negative impacts to the community, I am requesting that a full impact assessment of the proposed alternative route which would align the HSR along Route 280 and Route 87 be completed before the EIR report is closed. The analysis should provide for a full comparison of this option based on visual impacts, aesthetics, noise, property impacts, constructability, cost, and community acceptance. I101-2

Thank You!

-Tom Simon
40 South 12th St, San Jose, Ca

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Response to Letter I101 (Tom Simon, April 14, 2010)

I101-1

Comment acknowledged. As a result of CEQA and NEPA scoping for a the project-level EIR/EIS for the area between San Jose and Merced, the Authority has received comments suggesting an alternative south of San Jose along the I-280 and SR-87 to avoid impacts to the North Willow Glen neighborhood. The Authority and the FRA are examining such a suggested alternative as part of its preliminary alternatives screening within the project-level EIR process.

I101-2

Comment acknowledged. As a result of CEQA and NEPA scoping for a the project-level EIR/EIS for the area between San Jose and Merced, the Authority has received comments suggesting an alternative south of San Jose along the I-280 and SR-87 to avoid impacts to the North Willow Glen neighborhood. The Authority and the FRA are examining such a suggested alternative as part of its preliminary alternatives screening within the project-level EIR process.

Comment Letter I102 (Robert M. Kane, April 5, 2010)

I102

April 5, 2010

Dan Leavitt
California High-Speed Rail Authority
925 L Street, Suite 1425
Sacramento, CA 95814

RE: Comments on Bay Area to Central Valley Revised Draft Program EIR

Dear Mr. Leavitt and the California High Speed Rail Authority:

This letter is to comment on the Draft Program Level Environmental Impact Report (EIR) prepared on the Authority's proposed routing of the system in the San Francisco Bay Area.

The Authority's proposed project routing would extremely significant impacts from San Jose, along the Peninsula, to San Francisco. Impacts would be experienced by me, my family, my neighborhood, and by the natural environment. I can assure you that I am a genuine "expert" with respect to the impacts of the project you propose. These impacts include, but are not limited to, noise and vibration impacts, view impacts, business impacts, impacts on trees and other vegetation, and increased public safety dangers. Many of the listed impacts could be eliminated, or vastly reduced, by choosing a completely different routing solution. I102-1

Some possible alternatives include:

- Highway 101 corridor: the Authority could build an elevated rail along or in the center of the freeway. This freeway is used by many in the Bay Area for travel from the South Bay to San Francisco and vice versa. Since high speed rail is not meant to be used as a regional rail system, there would be minimal need for new stations between San Jose and San Francisco.
- Highway 280 corridor: the Authority could build an elevated rail along or in the center of the freeway. This freeway is used by many in the Bay Area for travel from the South Bay to San Francisco and vice versa. Since high speed rail is not meant to be used as a regional rail system, there would be minimal need for new stations between San Jose and San Francisco. I102-2
- Ending the High Speed Train in San Jose: high speed rail should be used to feed into other regional transit systems. By stopping high speed rail in San Jose, commuters may transfer to Caltrain and future BART to their final destination in the Bay Area.

I believe the law requires the Authority to do a more thorough investigation of routing alternatives. You have dismissed without adequate analysis the use of existing right of ways along Highway 101 and Interstate 280. The law requires you to identify ways to eliminate or to mitigate the undeniable impacts of the project, and to do this to the greatest degree feasible. I102-3

Also, I live in the Altura development which is within the Newhall neighborhood in San Jose. The Authority's proposed project design and the routing of the proposed High Speed Train along the Caltrain alignment would cause major and extremely significant impacts to me, my family, my neighborhood, and to the natural environment. I can assure you that I am a "neighborhood expert" with respect to the real impacts of the project you propose, which impacts have not been properly investigated and mitigated as the law requires. I102-4

Here, specifically, are the impacts that I personally know will occur, unless an alternative route is chosen, or unless the project is modified in significant ways:

- There is currently a sound wall in place next to the railroad tracks, but noise is still generated by the trains that currently run along this right of way. With an elevated rail structure in place, this will only get worse and project noise further into the community. I102-5
- The current freight trains that use the Caltrain right of way already produce vibration problems. An elevated rail structure and trains moving up to 125mph on them could make the vibration problem even worse. I102-6
- Currently, looking past the railroad sound wall to the east, there is a nice view of the mountains of the Diablo Range. An elevated rail structure would ruin this view and replace it with concrete blight. I102-7

I believe the law requires the Authority to do a much better investigation and documentation of the impacts I have described above – and not only in my neighborhood, but in all similar neighborhoods along the alignment you are proposing. Further, the law requires you to identify ways to eliminate or to mitigate these impacts to the greatest degree feasible. You should redesign the project to include measures to achieve that legal requirement, or choose a different alignment or project alternative that will have that effect. I102-8

I request you to revise the Draft EIR you have prepared, to address my concerns, and that you then recirculate such a Revised Draft EIR for further review and comment by the public. I102-9

Thank you for taking my comments and concerns into account, as the California Environmental Quality Act requires.

Best regards,

Robert M. Kane
1253 Arabica Terrace
San Jose, CA 95126

Response to Letter I102 (Robert M. Kane, April 5, 2010)

I102-1

Comment acknowledged. The May 2008 Final Program EIR identified impacts along the Caltrain corridor and identified mitigation strategies to address the impacts. The current Revised Draft Program EIR Material discloses a higher level of land use impacts than previously anticipated. The Authority will consider adopting mitigation strategies to address significant impacts on the natural environment, communities, and neighborhoods when it makes a new decision.

Comment about being a neighborhood or local expert is acknowledged.

I102-2

Your comment regarding a minimal need for stations between San Francisco and San Jose in either the US 101 or I-280 corridor disregards the feeder function that Caltrain can play to allow users to start their journeys close to their homes or workplaces. It also discounts the strong synergy evident around the world where HST acts as a feeder to longer-distance air travel.

If there are no HST stations between San Francisco and San Jose, there is no opportunity for interchange between HST and Caltrain except at the San Francisco terminal and San Jose Station. The utility of using Caltrain as a feeder to HST could be substantially reduced if this were to be the case, as Caltrain passengers would need to travel to one end or another of the Caltrain corridor to access HST. As an example, a passenger in Redwood City would need to take Caltrain to San Francisco to board a HST train that would then travel south back through Redwood City on its way to points south. The lack of a station serving SFO could eliminate the ability to easily utilize the HST to connect to flights, abandoning the opportunity to scale back the short and expensive connecting flights from locations like Fresno.

I102-3

See Standard Response 10 regarding alternatives.

The May 2008 Final Program EIR identified general mitigation strategies to avoid or minimize significant environmental impacts. Mitigation strategies are general methods of avoiding and minimizing impacts that can refined and tailored to project specific circumstances at the next tier of environmental review. The Authority will consider adopting these strategies when it makes a new program-level decision.

I102-4

Comment acknowledged. The May 2008 Final Program EIR identified impacts along the Caltrain corridor and identified mitigation strategies to address the impacts. The current Revised Draft Program EIR Material discloses a higher level of land use impacts than previously anticipated. The Authority will consider adopting mitigation strategies to address significant impacts on the natural environment, communities, and neighborhoods when it makes a new decision.

Comment about being a neighborhood or local expert is acknowledged.

I102-5

More detailed information and analysis of nosie impacts and mitigation will be included in project-level EIR/EISs. The noise analysis at the project-level will include the cumulative impacts of existing noise sources (such as Caltrain) and proposed noise sources. See Standard Responses 3 and 5.

I102-6

As discussed in the Response to Comment I102-5, the HST environmental document is a program-level document. More detailed information and analysis of vibration impacts and mitigation will be included in project-level EIR/EISs. The vibration analysis at

the project-level will include the cumulative impacts of existing vibration sources (such as freight trains) and proposed vibration sources.

I102-7

In the 2008 Final Program EIR, Appendix 2D, Sheet CC 6 of 6, the HST alignment is shown to be in a tunnel from approximately Lafayette Street in Santa Clara to Lenzen Avenue in San Jose. Based on the program design, the HST would not be visible as it passed this neighborhood.

A detailed impacts analysis of the HST will be undertaken as part of project level engineering and environmental analyses. Operational, construction, and maintenance impacts would be addressed as part of a project-level EIR/EIS. Specific locations and the scale of impacts would be further examined in detail at the project level because they are a product of the HST system design, and the detail necessary to identify the presence of the impact, the level of significance, and mitigation can only be done at the project level.

I102-8

The Authority disagrees. The current Revised Draft Program EIR Material is part of the Authority's first-tier, programmatic CEQA compliance. The level of detail in the impacts analysis is tailored to the level of detail of the decision under consideration.

The May 2008 Final Program EIR identified general mitigation strategies to avoid or minimize significant environmental impacts. Mitigation strategies are general methods of avoiding and minimizing impacts that can be refined and tailored to project specific circumstances at the next tier of environmental review. The Authority will consider adopting these strategies when it makes a new program-level decision.

I102-9

The Authority has revised and recirculated certain portions of the May 2008 Final Program EIR as the 2010 Revised Draft Program EIR Material. The purpose of the recirculated material is to comply with the final judgment of the Town of Atherton litigation. The Authority does not believe that additional revision and recirculation is necessary to fully comply with the court judgment and CEQA.

Comment Letter I103 (Richard Bayavrsy, April 26, 2010)

I103

APR 2 6 2010

BAY AREA TO CENTRAL VALLEY HIGH-SPEED TRAIN REVISED DRAFT PROGRAM ENVIRONMENTAL IMPACT REPORT MATERIAL

COMMENT SHEET

Written comments may be submitted at today's meeting or may be mailed or faxed to the Authority.

Mail: Dan Leavitt
California High-Speed Rail Authority
925 L Street, Suite 1425
Sacramento, CA 95814

Fax: (916) 322-0827
Attn: Bay Area to Central Valley Revised Draft Program EIR Material Comments

Email: comments@hsr.ca.gov
Re: Bay Area to Central Valley Revised Draft Program EIR Material Comments

All comments must be received by end of day **April 26, 2010.**

Please provide your comments below.

Name (please print): RICHARD BAYAVRSY
Title (if applicable):
Organization/Business (if applicable):
Address: 5492 COLONY FIELD DR
City: SAN JOSE State: CA Zip: 95123
Phone: 408-225-6649 Fax:
Email: Bayburst@msn.com
Meeting Date: Meeting Location:

COMMENTS:

I have lived in San Jose for 40 years. My wife and I use Monterey Road as the main artery to get to downtown San Jose and to Gilroy. We also patronize many of the businesses along the road. With the traffic along the highway, it is not feasible to narrow Monterey Road from its present width. I103-1

www.cahighspeedrail.ca.gov

Response to Letter I103 (Richard Bayavrsy, April 26, 2010)

I103-1

Comment noted. Detailed information and analysis of potential traffic impacts due to the proposed reduction in the number of lanes of Monterey Highway and feasible mitigation strategies will be included in project-level EIR/EISs.

Comment Letter I104 (Jim Goodman, April 26, 2010)

I104

APR 26 2010

BAY AREA TO CENTRAL VALLEY HIGH-SPEED TRAIN REVISED DRAFT PROGRAM ENVIRONMENTAL IMPACT REPORT MATERIAL

COMMENT SHEET

Written comments may be submitted at today's meeting or may be mailed or faxed to the Authority.

Mail: Dan Leavitt, California High-Speed Rail Authority, 925 L Street, Suite 1425, Sacramento, CA 95814

Fax: (916) 322-0827, Attn: Bay Area to Central Valley Revised Draft Program EIR Material Comment

Email: comments@hsr.ca.gov, Re: Bay Area to Central Valley Revised Draft Program EIR Material Comment

All comments must be received by end of day April 26, 2010.

Please provide your comments below.

Name (please print): Jim Goodman

Title (if applicable): property owner San Jose

Organization/Business (if applicable):

Address: 3021 - Wall St.

City: San Jose State: CA Zip: 95111

Phone: 408-225-6694 Fax:

Email: goodguess@sbcglobal.net

Meeting Date: 4-8-10 Meeting Location: Tow. Hedding San Jose

COMMENTS: Please do not take lanes out of Monterey Rd. in South San Jose. This Road is already congested during commute times. Businesses and Apartments are constantly being Added along this Road. If you Remove Any lanes it will greatly Affect All who live Along its path. And use it frequently. Millions of dollars were Recently Spent Improving this Road (widen way) And Now you want to Narrow it. Use existing roads or find Another Route for your High Speed ~~Rail~~ Train. In the long run it will probably be A financial disaster just like VTA, Cal-Train And Amtrack. I104-1 I104-2 I104-3

www.cahighspeedrail.ca.gov

Response to Letter I104 (Jim Goodman, April 26, 2010)

I104-1

Comment noted. The need to use the Monterey Highway corridor originated because UPRR has stated its unwillingness to allow use of its right-of-way. The proposal to reduce Monterey Highway from six to four lanes for the purpose of accommodating the proposed HST project is supported by both the City of San Jose and Caltrans. Detailed traffic analysis at the project-level EIR/EIS will evaluate the impacts due to reduction in lanes of Monterey Highway. Future traffic operations on Monterey Highway and any other affected roadways will be evaluated to determine the potential traffic impacts due to the proposed modification of the highway. The traffic impact analysis study will also evaluate permanent and construction-related (temporary) impacts to affected roadways, intersections, parking, pedestrian and bicycle facilities. Feasible mitigation measures will also be discussed at the project-level.

I104-2

See Response to Comment L025-2.

I104-3

Comment acknowledged.

Comment Letter I105 (Richard D. Keating, April 26, 2010)

I105

BAY AREA TO CENTRAL VALLEY HIGH-SPEED TRAIN REVISED DRAFT PROGRAM ENVIRONMENTAL IMPACT REPORT MATERIAL

COMMENT SHEET

Written comments may be submitted at today's meeting or may be mailed or faxed to the Authority.

Mail: Dan Leavitt, California High-Speed Rail Authority, 925 L Street, Suite 1425, Sacramento, CA 95814

Fax: (916) 322-0827, Attn: Bay Area to Central Valley Revised Draft Program EIR Material Comments

Email: comments@hsr.ca.gov, Re: Bay Area to Central Valley Revised Draft Program EIR Material Comments

All comments must be received by end of day April 26, 2010.

Please provide your comments below.

Name (please print): RICHARD D. KEATING

Title (if applicable):

Organization/Business (if applicable):

Address: 761 EL SOMBROSO DR.

City: SAN JOSE State: CA Zip: 95123

Phone: 408 225-6361 Fax:

Email:

Meeting Date: Meeting Location:

OUR WE UPSET

COMMENTS: OUR GREAT STATE IS IN POOR FINANCIAL HEALTH. WE CANNOT AFFORD THIS OUT OF SITE LUXURY. WE ARE GIVEN FEDERAL GRANT MONEY FOR MASSIVE PROJECTS THAT WE CANNOT AFFORD. DO WE NEED ANOTHER GOLDEN GATE BRIDGE THAT WILL NEVER BE PAID IN FULL? I105-1

DO YOU WANT TO CREATE JOBS FOLKS? TAKE THE FEDERAL GRANT MONEY, AND LOWER SMALL BUSINESS TAXES. "GRASS ROOTS" I105-2

WE MUST PUT THIS TO A PUBLIC VOTE, LET THE PEOPLE SPEAK NOT JUST POLITICIANS. "NOVEMBER 2010 IS A GOOD TIME" I105-3

WHY NOT MOVE THE STATE CAPITAL BACK TO SAN JOSE, THIS WOULD SOLVE THE TRAVEL PROBLEM. MAY BE WE CAN CALL IT THE DEAR-DON CAPITAL BUILDING, AND SAVE BIG BUCKS, I105-4

www.cahighspeedrail.ca.gov

Response to Letter I105 (Richard D. Keating, April 26, 2010)

I105-1

Comments acknowledged. The last of the Golden Gate Bridge's construction bonds were paid off in 1971.

I105-2

Comment acknowledged.

I105-3

This is not a comment on the 2010 Revised Draft Program EIR Material. Whether or not the HST should move forward was voted on in November 2008 with the approval of Proposition 1A.

I105-4

The "travel problem" that the HST is being designed to address is to accommodate the travel demand and growth foreseen throughout the State of California in the coming decades. Relocation of the state capitol to San Jose would fail to accomplish the goals of the HST project.

Comment Letter I106 (David Malan, April 26, 2010)

I106

BAY AREA TO CENTRAL VALLEY HIGH-SPEED TRAIN REVISED DRAFT PROGRAM ENVIRONMENTAL IMPACT REPORT MATERIAL

COMMENT SHEET

Written comments may be submitted at today's meeting or may be mailed or faxed to the Authority.

Mail: Dan Leavitt
California High-Speed Rail Authority
925 L Street, Suite 1425
Sacramento, CA 95814

Fax: (916) 322-0827
Attn: Bay Area to Central Valley Revised Draft Program EIR Material Comments

Email: comments@hsr.ca.gov
Re: Bay Area to Central Valley Revised Draft Program EIR Material Comments

All comments must be received by end of day April 26, 2010.

Please provide your comments below.

Name (please print): David Malan
Title (if applicable):
Organization/Business (if applicable):
Address: 3019 Wall St.
City: San Jose State: Ca Zip: 95111
Phone: 408-629-6776 Fax:
Email:
Meeting Date: Meeting Location:

COMMENTS: Please do not consider running the High Speed Train down Monterey Road as it will cause too much traffic congestion and danger. I use the route quite frequently and would consider it very inappropriate. I106-1

www.cahighspeedrail.ca.gov

Response to Letter I106 (David Malan, April 26, 2010)

I106-1

Comment noted. Detailed information and analysis of potential traffic impacts due to the proposed reduction in the number of lanes of Monterey Highway and feasible mitigation strategies will be included in project-level EIR/EISs. Future traffic operations on Monterey Highway and any other affected roadways will be evaluated to determine the potential traffic impacts due to the proposed modification of the highway and feasible mitigation strategies will be recommended at this level.

Comment Letter I107 (John and Sharon Mahoney, April 18, 2010)

04/18/2010 11:44 65069 PAGE 01

I107

BAY AREA TO CENTRAL VALLEY HIGH-SPEED TRAIN REVISED DRAFT PROGRAM ENVIRONMENTAL IMPACT REPORT MATERIAL

COMMENT SHEET

Written comments may be submitted at today's meeting or may be mailed or faxed to the Authority.

Mail: Dan Leavitt
California High-Speed Rail Authority
925 L Street, Suite 1425
Sacramento, CA 95814

Fax: (916) 322-0827
Attn: Bay Area to Central Valley Revised Draft Program
EIR/EIS comments

Email: comments@hsr.ca.gov
Re: Bay Area to Central Valley Revised Draft Program
EIR/EIS comments

All comments must be received by end of day **April 26, 2010**.

Please provide your comments below.

Name (please print): John and Sharon Mahoney

Title (if applicable):

Organization/Business (if applicable):

Address: 504 Hemlock Ave

City: Millbrae State: CA Zip: 94030

Phone: 650-697-6695 Fax: 650-692-7567

Email: sharonyqui@aol.com

Meeting Date: Meeting Location:

COMMENTS:

We have been closely following the planning and construction of a high speed train between Los Angeles and San Francisco. As longtime residents of Millbrae, we are deeply interested in the impact such construction will have on our neighborhood, in particular those homes along the Caltrain corridor.

We are cognizant of the fact that this project will address all aspects of the environment and will hopefully minimize land and property consumption needs. We are also aware that this project will increase efficiency in energy use for transportation, decrease oil fuels consumption, improve air quality and improve travel conditions. I107-1

Our Hemlock Avenue neighborhood is quite unique. The majority of homeowners have been residents for many years. We have owned our home for more than 30 years and hope to remain here for many more years. We have embraced BART, SFO and Caltrain. We are prepared to accept and endure the high speed rail provided that it does not take away our homes and our neighborhood.

We are certain that the California High-Speed Rail Authority, with its expertise, will be able to design a project that meets its needs while protecting people's homes.

www.cahighspeedrail.ca.gov

Response to Letter I107 (John and Sharon Mahoney, April 18, 2010)

I107-1

Comments acknowledged.

Comment Letter I108 (Guy R. Hornbeck, April 22, 2010)

I108

Kris Livingston

From: Vickie W. Hornbeck [hornbeckgv@comcast.net]
Sent: Thursday, April 22, 2010 8:17 PM
To: HSR Comments
Subject: EIR Comment

Guy R. Hornbeck
901 Hemlock Avenue
Millbrae, CA 94030

April 22, 2010

Dan Levitt
California Rail Authority
925 "L" Street, Suite 1425
Sacramento, CA 95814

Dear Mr. Levitt and the California High Speed Rail Authority:

I am writing this letter in order to formally comment on the Draft Program Level Environmental Impact Report ("E.I.R.") prepared regarding the Authority's proposed routing into the San Francisco Bay Area.

I live at the address listed above and have lived and worked in the San Francisco Peninsula for over 20 years. I am intimately acquainted with the businesses and residences that line the Caltrain Corridor. As such, I consider myself an "expert" regarding my neighborhood, community and the Caltrain Corridor and the impacts that would naturally follow the proposed rail routing.

I regularly commute to and from work riding Caltrain. Over the course of my career I have commuted from Millbrae to Sunnyvale, Mountain View, Santa Clara and San Jose (Diradon Station) riding Caltrain along the Caltrain Corridor. I am aware of every business and residence that reside on either side of the right-of-way and am astounded by the negative economic impact that the proposed High Speed Rail line would have on these small to mid-sized businesses. I am aware that the Authority is considering a number of proposals including tunnels, below grade (covered) trenches, berms and elevated tracks. From my attendance at public hearings in San Jose and reading the Authority's web pages, I am convinced that running the high speed rail service along the Caltrain Corridor would result in the displacement and economic hardship to a significant number of businesses, disrupting commerce, adding to the already high unemployment and reducing the availability of retail businesses to the impacted communities and residents. I108-1

I am also aware (as I pass them daily) of the number of private residences that front the Caltrain Corridor. Undoubtedly a number of these homes would need to be acquired by eminent domain in order to expand the right-of-way and allow for the addition of the rails and associated infrastructure. It is no secret that housing prices have dropped throughout Santa Clara and San Mateo Counties over the past 5 years. No doubt the Authority would offer these impacted homeowners "fair market value" for their homes, however, in an "upside down" real estate market many of these homeowners who would be forced to sell their homes at "fair market value" would lose much, if not all of the home's equity. I am reasonably sure that these homeowners would not see the expansion of the right-of-way as an economically "feasible" venture. I108-2

So, the proposed route for the high speed rail system is proposed to follow the Caltrain Corridor, displace numerous businesses and homes and cost millions of dollars. Why? I am unable to comprehend the logic behind running PARALLEL TRAIN SERVICE along the San Francisco Peninsula. Presently Caltrain operates commuter rail service, including an express train ("Baby Bullet") service between San Francisco and San Jose. It beggars the imagination why we would want to spend millions of dollars of tax payer money to duplicate rail service. It makes far more sense to I108-3

terminate the high speed rail line at the downtown San Jose (Diridon) Station. This station is already an intermodal hub for CalTrain, VTA bus and light rail and BART (proposed) from Fremont. It is the logical location to service not only to passengers from San Francisco and the San Francisco Peninsula but also to communities from the East Bay as well, becoming a true Bay Area Transportation Hub. I108-3 cont.

It is my understanding that California state law requires the Authority to conduct a thorough and dispassionate investigation related to the impacts that I have described above, including all the businesses and neighborhoods that line the Caltrain Corridor. I also understand that the law requires the Authority to identify ways to either eliminate or mitigate these negative impacts to the extent feasible. Saving taxpayer money is feasible. Preventing the needless acquisition and destruction of private businesses is feasible. Preventing the needless acquisition and destruction of numerous homes that line the Caltrain Corridor is feasible. Terminating the California High Speed Rail line in San Jose is feasible. I108-4

Yours truly,

Guy R. Hornbeck
Millbrae, CA

CC: Senator Leland Yee
Assemblyman Jerry Hill
City of Millbrae City Council

Response to Letter I108 (Guy R. Hornbeck, April 22, 2010)

I108-1

See Standard Response 6.

I108-2

See Standard Responses 6 and 7.

I108-3

The Authority notes that the Draft and Final Program EIRs did evaluate alternatives that would terminate in San Jose and not travel up the Peninsula on the Caltrain Corridor. These alternatives included Altamont Pass Network Alternative with Oakland and San Jose Termini; Altamont Pass with San Jose Terminus; Altamont Pass with San Jose, Oakland and San Francisco via Transbay Tube; Pacheco Pass with Oakland San Jose Termini; Pacheco Pass with San Jose Terminus; Pacheco Pass with San Jose, Oakland, and San Francisco via Transbay Tube; Pacheco Pass with Altamont Pass (local service) with Oakland and San Jose Termini; and Pacheco Pass with Altamont pass (local service) with San Jose Terminus.

The Authority will make a new decision on a network alternative to carry into the project level environmental document. The alternatives that avoid the Caltrain corridor are not the staff recommended network alternative, but will be considered by the Authority as part of the new decision. Public comments supporting terminating HST service in San Jose will be part of the record that the Board considers.

I108-4

The current Revised Draft Program EIR Material is part of the Authority's first-tier, programmatic CEQA compliance. The level of detail in the impacts analysis is tailored to the level of detail of the decision under consideration. The May 2008 Final Program EIR identified general mitigation strategies to avoid or minimize significant environmental impacts. Mitigation strategies are general methods of avoiding and minimizing impacts that can refined and tailored to project specific circumstances at the next tier of environmental review. The Authority will consider adopting these strategies when it makes a new program-level decision. See Standard Response 7 regarding property acquisition and Standard Response 10 regarding alternatives.

Comment Letter I109 (Peter and Shue Huo, April 18, 2010)

I109

Kris Livingston

From: Shue Huo [poposhue@gmail.com]
Sent: Sunday, April 18, 2010 10:54 AM
To: HSR Comments
Cc: plandiv.info@cityofpaloalto.org
Subject: overestimate the ridership

April 11, 2010

California High Speed Rail Authority,

Dear Dan Leavitt,

We think the High Speed Rail Authority is overestimating the ridership. When Bart extended it's route to Millbrae, they also overestimated the ridership. At first, Bart ran 10 cars from Millbrae to SFO, but there were only a few riders. Most of the time, the cars were empty. So, a few months later, they canceled the train form Millbrae to SFO. Even now, Bart and Caltrain both have declining ridership which left them huge deficits. What if this happen to High Speed Rail? Can California handle more deficit? Also, High Speed Rail plans to get a loan from China. How you get enough revenue to pay off the loan? Please do not mislead the government and the people. We cannot have more deficit in California! Please don't overestimate the ridership! If you could not make a profit, please don't waste the government and tax payers' money to create even more deficit to build the High Speed Rail which we really don't need. I109-1

Peter & Shue Huo

1

Kris Livingston

From: Shue Huo [poposhue@gmail.com]
Sent: Sunday, April 18, 2010 11:23 AM
To: HSR Comments
Cc: plandiv.info@cityofpaloalto.org; terry@terrynagel.com; nadianaik@gmail.com; katham3@aol.com; mbrady@rmkb.com; Shue Huo
Subject: we need to know the truth

April 12, 2010

California High-Speed Rail Authority,

Dear Dan Leavitt,

We, the residents of California, need to know the truth ahead of time. When we voted for the Proposition 1A in 2008, we didn't know how CHSR will be built. We didn't know that the CHSR will destroy local businesses and residential homes. That mean it will destroy many peoples' lives. We didn't know that! It was a mistake and that is wrong. I109-2

Now CHSR has overestimated the ridership. Just look at Caltrain and Bart. Do they ever have enough ridership? They have huge deficits. How CHSR will have enough ridership to sustain it? We need to know the truth! Recently on the news it was announced that CHSR will hire a new director. His salary will be doubled from before. If you just want to keep the high paying job and do not care about the government big deficit and peoples' lives, that is wrong. We need to know the truth! How many people will ride CHSR on a daily basis? How much deficit can we handle? Please stop building the CHSR. Stop destroying the California and its residents' lives. I109-3 I109-4

Please think about California residents of this generation and the generation after.... All will appreciated your decision.

The residents of Millbrae, CA

1

Response to Letter I109 (Peter and Shue Huo, April 18, 2010)

I109-1

We disagree that the ridership forecasts in the Program EIR are overstated. See Standard Response 4.

I109-2

The 2008 Final Program EIR identified that the HST project would result in significant impacts to the physical environment. The 21 network alternatives studied in the EIR each involve adverse environmental impacts, along with substantial project benefits. The EIR identified mitigation strategies to address the adverse impacts to the greatest extent feasible. In addition, the EIR discloses that regardless of alternative selected, significant adverse environmental impacts are anticipated, though the scale and location of these impacts may differ between alternatives. See I072-8 regarding outreach prior to the November 2008 ballot measure.

I109-3

See Standard Response 4.

I109-4

Comment acknowledged. Please see Standard Response 4.

Comment Letter I110 (G. R. Hornbeck, April 7, 2010)

I110

BAY AREA TO CENTRAL VALLEY HIGH-SPEED TRAIN REVISED DRAFT PROGRAM ENVIRONMENTAL IMPACT REPORT MATERIAL

COMMENT SHEET

Written comments may be submitted at today's meeting or may be mailed or faxed to the Authority.

Mail: Dan Leavitt
California High-Speed Rail Authority
925 L Street, Suite 1425
Sacramento, CA 95814

Fax: (916) 322-0827
Attn: Bay Area to Central Valley Revised Draft Program EIR Material Comments

Email: comments@hsr.ca.gov
Re: Bay Area to Central Valley Revised Draft Program EIR Material Comments

All comments must be received by end of day **April 26, 2010.**

Please provide your comments below.

Name (please print): G. R. HORNBECK
Title (if applicable):
Organization/Business (if applicable):
Address: 901 HEMLOCK AVE
City: MILLBRAE State: CA Zip: 94030
Phone: 650 270 7614 Fax:
Email: GHORNBECKGN@COMCAST.NET
Meeting Date: April 7, 240 Meeting Location: SAN JOSE

COMMENTS: I fail to understand the NEED for A high Speed Rail Route to RUN Parallel to the EXISTING CALTRAIN SERVICE LINE (San FRANCISCO to San José). TO ME, It Appears to be A WASTE of TAXPAYER dollars to take this Route of the high Speed Rail Along the peninsula to San Francisco -

I110-1

Why not enlarge the San Jose Diridon Caltrain Station to serve as A Regional Intermodal TRANSportation Hub - Serving CALTRAIN - VTA Light Rail & the proposed High Speed Rail SERVICES AS its TERMINUS?

Please consider our TAX dollars.

www.cahighspeedrail.ca.gov

Response to Letter I110 (G. R. Hornbeck, April 7, 2010)

I110-1

The Authority notes that the Draft and Final Program EIRs did evaluate alternatives that would terminate in San Jose and not travel up the Peninsula on the Caltrain Corridor. These alternatives included Altamont Pass Network Alternative with Oakland and San Jose Termini; Altamont Pass with San Jose Terminus; Altamont Pass with San Jose, Oakland and San Francisco via Transbay Tube; Pacheco Pass with Oakland San Jose Termini; Pacheco Pass with San Jose Terminus; Pacheco Pass with San Jose, Oakland, and San Francisco via Transbay Tube; Pacheco Pass with Altamont Pass (local service) with Oakland and San Jose Termini; and Pacheco Pass with Altamont pass (local service) with San Jose Terminus.

The Authority will make a new decision on a network alternative to carry into the project level environmental document. The alternatives that avoid the Caltrain corridor are not the staff recommended network alternative, but will be considered by the Authority as part of the new decision. Public comments supporting terminating HST service in San Jose will be part of the record that the Board considers.

Comment Letter I111 (Vickie Hornbeck, April 7, 2010)

I111

BAY AREA TO CENTRAL VALLEY HIGH-SPEED TRAIN REVISED DRAFT PROGRAM ENVIRONMENTAL IMPACT REPORT MATERIAL

COMMENT SHEET

Written comments may be submitted at today's meeting or may be mailed or faxed to the Authority.

Mail: Dan Leavitt
California High-Speed Rail Authority
925 L Street, Suite 1425
Sacramento, CA 95814

Fax: (916) 322-0827
Attn: Bay Area to Central Valley Revised Draft Program EIR Material Comments

Email: comments@hsr.ca.gov
Re: Bay Area to Central Valley Revised Draft Program EIR Material Comments

All comments must be received by end of day **April 26, 2010.**

Please provide your comments below.

Name (please print): Vickie Hornbeck
Title (if applicable):
Organization/Business (if applicable):
Address: 901 Hemlock Avenue
City: Millbrae State: CA Zip: 94030
Phone: Fax:
Email: hornbeckgr@comcast.net
Meeting Date: Meeting Location:

COMMENTS: There is an established rail system from San Jose to San Francisco. It is ludicrous to duplicate it again. I111-1

There can be a high speed from San Jose to LA. But leave San Jose to San Francisco alone. I111-1 cont.

Vickie G. Hornbeck.

Tax dollars can be better spent elsewhere.

4/7/2010

www.cahighspeedrail.ca.gov

Response to Letter I111 (Vickie Hornbeck, April 7, 2010)

I111-1

Ending HST in San Jose and having all the passengers bound for destination north of there transfer to Caltrain, the Caltrain infrastructure would need to be increased to carry all the additional, yet slower, trains. The capacity of a single HST is double that of a Caltrain Baby Bullet. Caltrain would need to be completely grade separated and parallel tracks added to absorb the passengers transferring from HST in San Jose. Cutting HST back to San Jose would not eliminate the need for many more trains to run up the peninsula. The HST is not duplicating Caltrain, but the Caltrain infrastructure needs to be expand to accommodate all the new trips (not trains, people) that will use it between San Jose and San Francisco. See Standard Response 10 regarding alternatives.

Comment Letter I112 (Ann Romaine, April 26, 2010)

I112

BAY AREA TO CENTRAL VALLEY HIGH-SPEED TRAIN REVISED DRAFT PROGRAM ENVIRONMENTAL IMPACT REPORT MATERIAL

COMMENT SHEET

Written comments may be submitted at today's meeting or may be mailed or faxed to the Authority.

Mail: Dan Leavitt, California High-Speed Rail Authority, 925 L Street, Suite 1425, Sacramento, CA 95814

Fax: (916) 322-0827, Attn: Bay Area to Central Valley Revised Draft Program EIR Material Comments

Email: comments@hsr.ca.gov, Re: Bay Area to Central Valley Revised Draft Program EIR Material Comments

All comments must be received by end of day **April 26, 2010.**

Please provide your comments below.

Name (please print): Ann Romaine

Title (if applicable): Ron Romaine

Organization/Business (if applicable):

Address: 582 Hemlock Ave

City: Millbrae State: CA Zip: 94030

Phone: (650) 692 1034 Fax:

Email: 0

Meeting Date: Meeting Location:

COMMENTS: Concern: #1 Eminent domain — Our house is one of 23 on the east side of Hemlock Ave Millbrae, CA - two blocks of nice homes sitting @ 100 to 200 ft from the Caltrain tracks - Our residence of 40 years - GONE ?? — loss of homes - disruption of our lives - and — loss to Millbrae of fine neighborhood + citizens, — loss of $ from taxes on these homes, — loss of trees - providing beauty and oxygen, and a — barrier against the noise and sight of trains, — as well as habitat for birds and squirrels — I112-1

Spare us the Damaging, disruptive Environmental Impact - such as hundreds of people - home and business owners from S.F. to San Jose — if it must exist at all - then = I112-2

Start the High-Speed line at San Jose - south / Don't Guess at ridership count - (Bart did poorly on their line from S.F. to Millbrae) I112-3

Sincerely, Mrs. Ann Romaine, Mr. Ron Romaine

(Check light use of parking at Bart stations in Millbrae)

www.cahighspeedrail.ca.gov

The projected view of the environment of 10/20 years ahead is Not, More important than our environ... I112-4

The UPS Store®
423 Broadway
Millbrae, CA. 94030
Phone: (650)697-3246
Fax: (650)697-3341
Email: Store1444@theupsstore.com

FAX

To Dan Leavitt — From Ann Romaine

Company Calif. High Speed Rail Authority — Phone number (650) 692 1034

Fax number (916) 322 0827 — Fax number

Date April 26, 2010 — Total pages 1

Job number

The UPS Store

Response to Letter I112 (Ann Romaine, April 26, 2010)

I112-1

Measured from aerial photos, the distance from rear yard fences of the homes on the east side of Hemlock Avenue in Millbrae to the far side (east side) of the Caltrain right-of-way is over 100 feet. That width was determined in the 2008 Final Program EIR to be sufficient for a four-track configuration for Caltrain and HST.

Trees outside the right-of-way would not be removed, although some trimming would be required for vegetation intruding on the right-of-way. In locations where existing trees exist on the Caltrain right-of-way, design and engineering to be undertaken at the project level will determine if they are located where they cause no interference with the future rail operations.

I112-2

The commenter states that the HST should consider terminate in San Jose. The Authority notes that the Draft and Final Program EIRs did evaluate alternatives that would terminate in San Jose and not travel up the Peninsula on the Caltrain Corridor. These alternatives included Altamont Pass Network Alternative with Oakland and San Jose Termini; Altamont Pass with San Jose Terminus; Altamont Pass with San Jose, Oakland and San Francisco via Transbay Tube; Pacheco Pass with Oakland San Jose Termini; Pacheco Pass with San Jose Terminus; Pacheco Pass with San Jose, Oakland, and San Francisco via Transbay Tube; Pacheco Pass with Altamont Pass (local service) with Oakland and San Jose Termini; and Pacheco Pass with Altamont pass (local service) with San Jose Terminus.

The Authority will make a new decision on a network alternative to carry into the project level environmental document. The alternatives that avoid the Caltrain corridor are not the staff recommended network alternative, but will be considered by the Authority as part of the new decision. Public comments supporting terminating HST service in San Jose will be part of the record that the Board considers.

I112-3

The ridership forecasts used in the Program EIR were developed through a multi-year effort by experts in the field of transportation demand modeling and overseen by the Metropolitan Transportation Commission. We disagree that the forecasts are guesses.

I112-4

Although the original fax that was sent was cut off at the bottom of the page, the Authority believes that the commenter is stating that they believe that the projected view of the environment 10 to 12 years in the future is not more important than the environment today. Under CEQA, a lead agency is required to compare conditions with the proposed action to the baseline conditioin, which is usually defined as the existing conditions at the time of the Notice of Preparation. This was the method used for the 2008 Final Program EIR and the 2010 Revised Draft Program EIR Materials.

Comment Letter I113 (Kevin S. Combellack, April 22, 2010)

I113

April 22, 2010

California High- Speed Rail Authority
925 L Street Suite 1425
Sacramento, CA 95814

Dear Sirs:

As a supporter of high- speed rail in California, I urge you to consider tunneling as much as is possible and /or practicable for the San Jose to San Francisco section of the planned route.

The communities along the San Francisco peninsula would be, on the whole, adversely impacted by an above ground configuration of the high – speed system. Tunneling would be a more sensitive option and would preserve many historical elements of the cities on the peninsula, resulting in a better system for all Californians in the decades to come. I113-1

Thank you for your consideration in this matter.

Sincerely,

Kevin S. Combellack
P.O Box 14
Millbrae, CA 94030

Cc: The Hon. Jackie Speier
400 S. El Camino Real Suite 410
San Mateo, CA 94402

Response to Letter I113 (Kevin S. Combellack, April 22, 2010)

I113-1

The commenter states that the HST should be put in a tunnel to avoid problems. The Authority Board committed in July 2008 to investigate profile alternatives to avoid and minimize potential impacts, including trench, tunnel, aerial, and at-grade. Although the Authority has rescinded it's July 2008 program decision, the commitment to examine profile alternatives has been carried forward into the project level alternatives screening. Greater detail about tunnel and trench options being considered in preliminary alternatives screening for project-level environmental documents can be found on the Authority's website. See also Standard Response 3 regarding level of detail.

Comment Letter I114 (Concerned Residents of Morgan Hill Petition, April 22, 2010)

I114

Dan Leavitt
c/c Abel Maldonado
California High Speed Rail Authority
925 L Street Suite 1425
Sacramento, CA 95814

We wish to bring to your attention; the great concerns of the residents in our community regarding the proposed HSR corridor from San Jose to Gilroy along the UP Railroad.

Our homes are directly bordering the UP Railroad tracks along the Old Monterey Highway, the current proposed corridor for the HSR. I114-1

1) An elevated or at grade level HSR facility will have a negative impact on our community for the following reasons: a) Due to noise, during construction and long term use when project is finalized; b) Vibration due to high long term volume of HSR traffic could result in foundation damage to the houses; c) Visual impact; d) Potential safety issues with a high speed train; e) It will considerably reduce the desirability of our properties, thus reducing the value of our homes which for most is our largest investment.

2) It is also valid to mention safety issues for children walking to and from Sobrato High School, and Burnett Elementary School both in the immediate vicinity to our location. I114-2

3) Reducing the number of lanes on Old Monterey Highway drastically reduces the possibility of an alternate route to Highway 101 in case of an emergency. I114-3

4) Choosing the Old Monterey Highway alignment from San Jose to Morgan Hill will add city wide traffic congestion, noise, potential accidents on railroad crossings, as well as potential accidents with pedestrian traffic. I114-4

5) In our Downtown District the City of Morgan Hill has spent a great deal of our hard earned tax dollars to make it an attraction to businesses and patrons. Adding the High Speed Rail train less than 1000 feet away from our Downtown District will negate much of the hard work and money put into this endeavor. I114-5

Our neighborhood is a representation of the many neighborhoods alongside the proposed HSR corridor from San Francisco to Gilroy who will be affected. This proposed corridor will drastically degrade our quality of life in many different ways based on the five points mentioned above. I114-6

Furthermore, we emphatically object to the currently proposed San Francisco Morgan Hill / Gilroy corridor alongside the UP Railroad tracks along the Old Monterey Highway. We request a full impact assessment to consider the alternative route which would run along the already established Highway 101 which would be a more common sense route for the HSR in our view. Much of what is currently along Highway 101 is commercially zoned and open space, therefore would not be as adversely affected by the High Speed Rail. I114-7

If funds are not available to build the HSR in a way in which tens of thousands of families' lives won't be drastically, permanently, and negatively affected by this project -then it shouldn't be built at all. I114-8

Thank you for your consideration.

Concerned residents of Morgan Hill, California

CONCERNED RESIDENTS - RE: HSR - SAN JOSE/GILROY

Signature	Name (Please Print)	Address	Email Address or Phone Number
	Rob Ramirez	121 Curry Ave	(408) 710-4910
	Richard N. Burke	19201 Saffron Dr. Morgan Hill Ca.	sunkercich4640@yahoo.com
	Sara Chavez	110 Curry Ave	RCHAVEZ0150@yahoo.com
	Marta Rios	200 Sage Ave	markcisweils@charter.net
	Hector Gutierrez	19281 Saffron Av. Morgan Hill	HGAN4522@yahoo.com
	MR. IRINEO MALLARI	19301 SAFFRON DR. Morgan Hill	408-778-7909
	John Carrion	19321 Saffron Dr Morgan Hill	408 779-7911
	Wendy Carrion	19321 Saffron Dr Morgan Hill	408-779-7920
	Scott Friedman	19331 Saffron Dr. Morgan Hill Ca	happy2269@aol.com
	Kristen Farnham	19331 Saffron Dr Morgan Hill CA	408-779-3818
	Elizabeth Quesada	16780 Dry Creek Ct. MH	(408) 776-1325
	OSCAR RICO	200 Sage Av. Morgan Hill	408-779-7859

Comment Letter I114 - Continued

CONCERENED RESIDENTS - RE: HSR - SAN JOSE/GILROY

SIGNATURE	NAME (PLEASE PRINT)	ADDRESS	EMAIL ADDRESS OR PHONE NUMBER
	PAUL & GLORIA	17250 CAYENNE DR	
	MARCOZZI	MORGAN HILL CA 95037	(408) 888-4374
	THEU DANG	19290 CAYENNE Dr	hieu_dang1@yahoo.com
		MORGAN HILL CA 95037	408-515-6752
	NHIEN LUONG	19271 CAYENNE DR	(408) 623-0211
		MORGAN HILL CA 95037	luongnhien@sbcglobal.com
	Bonnie Costa	19261 Cayenne Dr.	
		Morgan Hill CA 95037	(408) 776-0787
			Bonnie.Costa@AST.com
	JOS GOUW	19260 CAYENNE DR	
		MORGAN HILL, CA 95037	408-780-8777
	KIRK ISHIDA	19270 CAYENNE DR.	
		MORGAN HILL CA. 95037	408-687-8369
			gina.ishida@hotmail.com

CONCERNED RESIDENTS - RE: HSR - SAN JOSE/GILROY

SIGNATURE	NAME (PLEASE PRINT)	ADDRESS	EMAIL ADDRESS OR PHONE NUMBER
	NIKKI JOANNE COOK	140 SAGE AVE	joannedcook@aol.com
	GARY NIGH	210 Sage Ave	
Adriana Hernandez	Adriana Hernandez	603 N 16TH ST Salinas 95112	(408)-313-4806

Comment Letter I114 - Continued

CONCERNED RESIDENTS - RE: HSR - SAN JOSE/GILROY

SIGNATURE	NAME (PLEASE PRINT)	ADDRESS	EMAIL ADDRESS OR PHONE NUMBER
	Terri Gill	19175 Saffron Dr.	408-333-4661
	Jessica LeVan	19185 Saffron Dr.	(408)832-2019
	Thuong LeVan	19185 SAFFRON DR	(408) 893-2014
	Valiente, Romelyn	19191 Saffron Dr.	mye_0412@yahoo.com
	Lorico, Irwin	19191 Saffron Dr.	iblorico@aol.com
	Miguel Jimenez	19121 Saffron Dr	408 778-2543
	Natalya DIAS	19131 Saffron DR	408.782.6680
	Dennis DeLisle	19171 SAFFRON DR	408-422-3612
	Insik Jin	19181 Saffron Dr.	insikjin30@yahoo.com
	Jungmi Jin	19181 Saffron Dr	Jungmi-aha@hotmail.com

Response to Letter I114 (Concerned residents of Morgan Hill Petition, April 22, 2010)

I114-1

The 2008 Final Program EIR identified that the HST project would result in significant impacts to the physical environment. The 21 network alternatives studied in the EIR each involve adverse environmental impacts, along with substantial project benefits. The EIR identified mitigation strategies to address the adverse impacts to the greatest extent feasible. In addition, the EIR discloses that regardless of alternative selected, significant adverse environmental impacts are anticipated, though the scale and location of these impacts may differ between alternatives.

Additional site-specific analysis of potential noise, vibration, visual, and safety impacts will be conducted for the project-level EIR/EISs.

See Standard Response 6 regarding project impacts on residential property values.

I114-2

See Response to Comments I005-7 and I006-8.

I114-3

The need to use the Monterey Highway corridor originated because UPRR has stated its unwillingness to allow use of its right-of-way. The proposal to reduce Monterey Highway from six to four lanes for the purpose of accommodating the proposed HST project is supported by both the City of San Jose and Caltrans. Detailed traffic analysis at the project-level EIR/EIS will evaluate the impacts due to reduction in lanes of Monterey Highway. Future traffic operations on Monterey Highway and any other affected roadways will be evaluated to determine the potential traffic impacts due to the proposed modification of the highway. Potential for traffic congestion to change or disrupt access or circulation of emergency vehicles will also be evaluated.

I114-4

The HST will be designed to have fully grade-separated tracks with state-of-the-art safety, signaling, and automated train control systems to minimize the potential for derailment. The Authority will build upon the extensive experience of HST operations in other countries. Future HST Operations Plans will include emergency response measures. FRA regulations also address safety concerns, and this system will comply with those regulations.

I114-5

An Alternatives Analysis Report will be prepared at the project-level to identify feasible and practicable alternatives to be carried forward into preliminary engineering design and environmental review as part of the project-level EIR/EIS.

I114-6

See Standard Response 6 regarding the effect of the HST network alternatives on quality of life.

I114-7

The 2008 Final Program EIR and 2010 Revised Draft Program EIR Material assessed impacts with an alignment along the existing UPRR with an elevated alignment in Morgan Hill. The Project EIR can analyze impacts to the alternatives developed during the scoping process in 2009, including those along US 101 in Morgan Hill, San Martin and Gilroy.

I114-8

Comment acknowledged.

Comment Letter I115 (Martin E. Luht, April 3, 2010)

I115

Kris Livingston

From: Martin Luht [mluht@pacbell.net]
Sent: Saturday, April 03, 2010 5:14 PM
To: HSR Comments
Subject: Comments on Bay Area to Central Valley Revised Draft Program EIR
Attachments: RouteAlternativeLetter.doc

1912 Silverwood Avenue
Mountain View, CA 94043

April 3, 2010

Dan Leavitt [Sent by Email: comments@hsr.ca.gov (or) by FAX: 916-322-0827]
California High-Speed Rail Authority
925 L Street, Suite 1425
Sacramento, CA 95814

RE: Comments on Bay Area to Central Valley Revised Draft Program EIR

Dear Mr. Leavitt and the High Speed Rail Authority:

This letter is to comment on the Draft Program Level Environmental Impact Report (EIR) prepared on the Authority's proposed routing of the system in the San Francisco Bay Area. The Authority's proposed project routing would extremely significant impacts on the San Francisco Peninsula. Impacts would be experienced by me, my family, my neighborhood, and by the natural environment. I can assure you that I am a genuine "expert" with respect to the impacts of the project you propose. Why "expert"? Because I have lived near the Caltrain tracks for over 25 years and ride the train every week day to work. I115-1

These impacts include, but are not limited to, noise and vibration impacts, view impacts, business impacts, impacts on trees and other vegetation, and increased public safety dangers. Many of the listed impacts could be eliminated, or vastly reduced, by choosing a completely different routing solution.

I believe the law requires the Authority to do a more thorough investigation of routing alternatives. You have dismissed without adequate analysis the use of existing right of ways along Interstate 280 and the Altamont Alignment to Highway 101. The law requires you to identify ways to eliminate or to mitigate the undeniable impacts of the project, and to do this to the greatest degree feasible. I115-2

I request you to revise the Draft EIR, and then recirculate a Revised Draft EIR for further review and comment by the public. The Revised Draft should study the following alternative routes:

- The Altamont Alignment to Highway 101 – this would be my preferred route as the commuters to San Francisco coming from the East Bay/Livermore/Tracy areas are already causing significant road congestion and these commuters, along with those from Sacramento would be potential HSR riders. This route also has significantly more industrial, farm and undeveloped land much more suitable for HSR than the Peninsula.
- Highway 280 corridor
- Ending the High Speed Train in San Jose

I115-3

Thank you for taking my comments and concerns into account, as the California Environmental Quality Act

1

requires.

Yours truly,

Martin E. Luht
mluht@pacbell.net
650) 961-0268

2

Response to Letter I115 (Martin E. Luht, April 3, 2010)

I115-1

Comment acknowledged. The May 2008 Final Program EIR identified impacts along the Caltrain corridor and identified mitigation strategies to address the impacts. The current Revised Draft Program EIR Material discloses a higher level of land use impacts than previously anticipated. The Authority will consider adopting mitigation strategies to address significant impacts on the natural environment, communities, and neighborhoods when it makes a new decision.

Comment about being a neighborhood or local expert is acknowledged.

See Standard Response 3.

More detailed information and analysis of noise, vibration, aesthetics, business, landscaping, biology, and public safety impacts and mitigation will be included in project-level EIR/EISs.

I115-2

See Standard Response 10 regarding alternatives.

The May 2008 Final Program EIR identified general mitigation strategies to avoid or minimize significant environmental impacts. Mitigation strategies are general methods of avoiding and minimizing impacts that can refined and tailored to project specific circumstances at the next tier of environmental review. The Authority will consider adopting these strategies when it makes a new program-level decision.

I115-3

The Authority has revised and recirculated certain portions of the May 2008 Final Program EIR as the 2010 Revised Draft Program EIR Material. The purpose of the recirculated material is to comply with the final judgment of the Town of Atherton litigation. The Authority does not believe that additional revision and recirculation is necessary to fully comply with the court judgment and CEQA. See also Standard Response 10 regarding alternatives.

Comment Letter I116 (Perry Chang, April 7, 2010)

I116

BAY AREA TO CENTRAL VALLEY HIGH-SPEED TRAIN REVISED DRAFT PROGRAM ENVIRONMENTAL IMPACT REPORT MATERIAL

COMMENT SHEET

Written comments may be submitted at today's meeting or may be mailed or faxed to the Authority.

Mail: Dan Leavitt
California High-Speed Rail Authority
925 L Street, Suite 1425
Sacramento, CA 95814

Fax: (916) 322-0827
Attn: Bay Area to Central Valley Revised Draft Program EIR Material Comments

Email: comments@hsr.ca.gov
Re: Bay Area to Central Valley Revised Draft Program EIR Material Comments

All comments must be received by end of day **April 26, 2010.**

Please provide your comments below.

Name (please print): PERRY CHANG
Title (if applicable): CFO
Organization/Business (if applicable): HORTSON LAND INC. APRICOT LAND INC
Address: P. O. Box 4526
City: Mountain View State: CA Zip: 94040
Phone: (650) 962-1048 Fax: (650) 962 8223
Email: PERRYCHANG@AOL.COM
Meeting Date: 4/7/10 Meeting Location: Sheriff's Auditorium

COMMENTS: Re: Morgan Hill Land's Alignment

Heard your alignment through Morgan Hill has not been finalized. Seems to us H.S.Train should be within or join railroad right away as much as possible so not have great impact on other properties. Cutting through other areas will be disastrous to adjoining property owners. It is also going to be cost prohibitive. I116-1

P Chang

P.S. Need to know how we can get details on various alignments under study in Morgan Hill so we can provide further comments. I116-1 cont.

I116-2

www.cahighspeedrail.ca.gov

Response to Letter I116 (Perry Chang, April 7, 2010)

I116-1

Comment acknowledged. The Authority has sought to utilize existing transportation corridors to the greatest extent feasible to minimize environmental impacts.

I116-2

The project plans are included in the 2008 Final Program EIR and the 2010 Revised Draft Program EIR Material. Additional information is included on the Authority web site.

Comment Letter I117 (Chris Parkinson, April 7, 2010)

I117

Chris Parkinson
505 Cypress Point Drive unit 214
Mountain View, CA 94043-4887

Wednesday, April 07, 2010

California High-Speed Rail Authority
925 L Street, Suite 1425
Sacramento, CA 95814

Re: EIR standing letter

To whom it may concern. There was a typo in the newspaper indicating the wrong day of the EIR meeting. Since this is generated the same day as the meeting, I am sending you my public comments to be issued into the record. I117-1

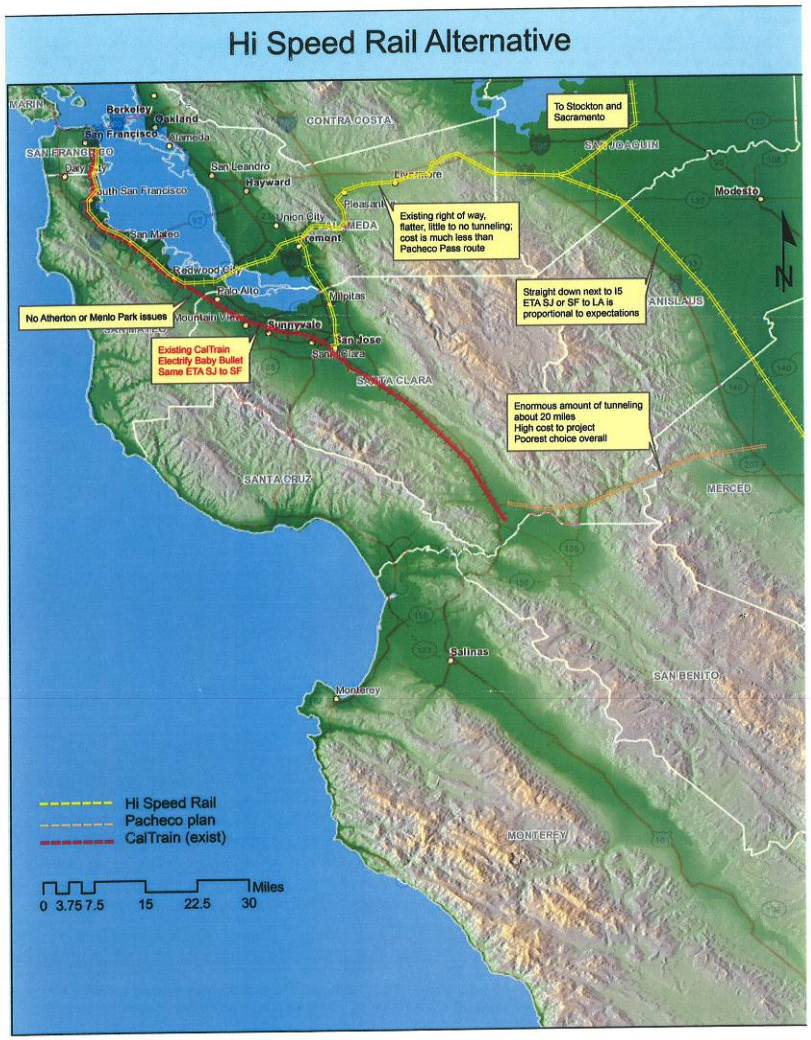
I want your agency to do a better job with negotiating using the best railroad lands in the Bay Area rather than carving out the route from scratch from politically wished strategies. This means negotiating with the Union Pacific in good faith and not a half hearted effort that has been its history. Please see attached map on page two of this letter to see what TRAC experts advocates would be implemented in the Bay Area. There you mitigate completely the Atherton issue; there you mitigate the taking of property in the Cal Train Corridor. There you obtain a scenic straightaway where high speed can be accomplished going straight across the bay between Unincorporated Redwood City/ Menlo Park and Newark. I117-2

It is this corridor where you can attain your 2 hour estimates and serve a greater population. San Jose still gets its connection too and still can run the line to Gilroy if you prefer. Bottom line is going through some of the most expensive corridors and potentially having to underground the lines can be easily mitigated by simply shifting the strategy to what TRAC experts believe is the right paths to take. I117-3

Sincerely yours,

Chris Parkinson
ATTORNEY PRO SE
enc: High Speed Rail Alternative map

cc: TRAC



Response to Letter I117 (Chris Parkinson, April 7, 2010)

I117-1

The commenter does not indicate which newspaper included a typo. None of the 8 newspapers had a typo. The date of the meeting is indicated in each as April 7, 2010. The newspapers included the San Francisco Examiner, Fresno Bee, San Jose Mercury News, Daily Republic, Merced Sun Star, Modesto Bee, Oakland Tribune, and Sacramento Bee.

I117-2

Comment acknowledged. The Authority is engaged in good faith discussions with UPRR. See Standard Response 8. Regarding the alternative proposal included with the comment, we note that alternatives were not an area identified by the Superior Court in the Atherton case for further work to comply with CEQA. The 2008 Program EIR, Chapter 7, discusses representative network alternatives that contain some similar components to the included map. For example, an alignment crossing the San Francisco Bay at Dumbarton on a new bridge structure is evaluated, as is an alignment that would continue from Dumbarton north to San Francisco on the Caltrain Corridor. The corridor identified on the commenter's map between San Jose and Fremont likewise appears similar to what was examined in the 2008 Final Program EIR, as is the corridor through the Fremont to the Altamont Pass. The proposal to use the I-5 Corridor for the North/South high-speed train alignment was previously considered and rejected in the 2005 Program EIR for the Statewide High-Speed Train System. Because this proposal is similar to what the Authority has studied, we do not find that further evaluation is necessary.

I117-3

The Authority disagrees with the commenter's statement. See Standard Response 10 regarding route alternatives.

Comment Letter I118 (Chris Parkinson, April 7, 2010)

I118

Kris Livingston

From: Chris Parkinson [parky36@covad.net]
Sent: Wednesday, April 07, 2010 4:40 PM
To: HSR Comments
Subject: April EIR meeting
Attachments: HSR v1.pdf

In regards to public comment I am formally sending the HSR my comments issued in standing.

I want the best faith effort put forward in regards to Union Pacific Railway easements. These are the finest easement and help mitigate the concerns of those in Cities like Atherton. These ideas are based on TRAC's recommendations as to the best routing in the San Francisco Bay Area. Your level of significant issues are severely reduced and the added benefit of a fine visual train trip where you can attain high speeds crossing the Bay. I118-1

Any question I will be available tomorrow at your HSR meeting in San Jose.

Chris Parkinson
Mountain View

1

Response to Letter I118 (Chris Parkinson, April 7, 2010)

I118-1

Unsure what the commenter means by "Union Pacific Railway easements" nor "TRAC's recommendations".

Comment Letter I119 (Greg Thelen, April 7, 2010)

I119

Kris Livingston

From: Greg Thelen [gthelen@gthelen.com]
Sent: Wednesday, April 07, 2010 9:51 PM
To: HSR Comments
Subject: Comments on Bay Area to Central Valley Revised Draft Program EIR
Attachments: NeighborhoodImpactLetter.doc

Please read attached comments on the EIR.

Thank you.

--
Greg

1

651 Franklin Street Apt 4312
Mountain View, CA 94041

Apr 7, 2010

Dan Leavitt [Sent by Email: comments@hsr.ca.gov (or) by FAX: 916-322-0827]
California High-Speed Rail Authority
925 L Street, Suite 1425
Sacramento, CA 95814

RE: Comments on Bay Area to Central Valley Revised Draft Program EIR

Dear Mr. Leavitt and the High Speed Rail Authority:

This letter is to comment on the Draft Program Level Environmental Impact Report (EIR) prepared on the Authority's proposed routing of the system in the San Francisco Bay Area.

I live in ___Mountain View_____, at the following address ___651 Franklin Street_____. The Authority's proposed project design and the routing of the proposed High Speed Train along the Caltrain alignment would cause major and extremely significant impacts to me, my family, my neighborhood, and to the natural environment. I can assure you that I am a "neighborhood expert" with respect to the real impacts of the project you propose, which impacts have not been properly investigated and mitigated as the law requires. I119-1

Here, specifically, are the impacts that I personally know will occur, unless an alternative route is chosen, or unless the project is modified in significant ways:

- Describe noise and vibration impacts I119-2
- Describe view impacts I119-3
- Describe impacts on trees and other vegetation I119-4
- Describe public safety dangers I119-5

Noise is the most concerning aspect. Current residents near the tracks are protected by a relatively effective sound wall. This new elevated tracks appear to have absolutely no walls containing train noise. Please protect the peace and quiet and thus the health of the people. I119-6

I believe the law requires the Authority to do a much better investigation and documentation of the impacts I have described above – and not only in my neighborhood, but in all similar neighborhoods along the alignment you are proposing (especially the properties adjacent to the existing Caltrain tracks in Mountain View near Rengstorff Avenue and San Antonio Road). Further, the law requires you to identify ways to eliminate or to mitigate these impacts to the greatest degree feasible. You should redesign the project to include measures to achieve that legal requirement, or choose a different alignment or project alternative that will have that effect. I119-7

I request you to revise the Draft EIR you have prepared, to address my concerns, and that you then recirculate such a Revised Draft EIR for further review and comment by the public. Thank you for taking my comments and concerns into account, as the California Environmental Quality Act requires. I119-8

Yours truly,
Greg Thelen

Response to Letter I119 (Greg Thelen, April 7, 2010)

I119-1

Comment acknowledged. The May 2008 Final Program EIR identified impacts along the Caltrain corridor and identified mitigation strategies to address the impacts. The current Revised Draft Program EIR Material discloses a higher level of land use impacts than previously anticipated. The Authority will consider adopting mitigation strategies to address significant impacts on the natural environment, communities, and neighborhoods when it makes a new decision.

Comment about being a neighborhood or local expert is acknowledged.

The Authority disagrees that impacts and mitigation measures were not properly investigated. The current Revised Draft Program EIR Material is part of a first-tier, programmatic environmental review process examining the impacts of 21 network alternatives at a broad level of detail.

I119-2

See Response to Comment I031-2 regarding noise and vibration.

I119-3

The 2008 Final Program EIR identified that the HST project would result in significant and unavoidable impacts to the physical environment. The Final Program EIR identified mitigation strategies to address these impacts to the greatest extent feasible. In addition, the Final Program EIR discloses that regardless of alternative selected, significant adverse environmental impacts are anticipated, though the scale and location of these impacts may differ between alternatives. Accordingly, a change in the alternative selected would reduce or eliminate impacts to views along a particular alignment but would not eliminate altogether the impacts of constructing and/or implementing the HST system.

I119-4

The 2008 Final Program EIR identified that the HST project would result in significant and unavoidable impacts to the physical environment. The EIR identified mitigation strategies to address these impacts to the greatest extent feasible. In addition, the EIR discloses that regardless of alternative selected, significant adverse environmental impacts are anticipated, though the scale and location of these impacts may differ between alternatives. Accordingly, a change in the alternative selected would reduce or eliminate impacts to trees and vegetation along a particular alignment but would not eliminate altogether the impacts of constructing and/or implementing the HST system.

I119-5

The Authority disagrees with the comment that an alternative route or project modification is required to avoid public safety dangers. Chapter 1 of the May 2008 Final Program EIR addresses safety for major modes of transportation. The evidence shows that the fully grade separated HST systems in Europe and Japan have the lowest fatality rates (0 fatalities) of all modes. The HST project under consideration in the Bay Area to Central Valley Program EIR includes grade separations that will eliminate existing at-grade crossings of rail and local traffic. The HST project is therefore anticipated to improve safety for pedestrians, automobiles, commuter rail, and freight rail compared to existing conditions.

I119-6

More detailed information and analysis of nosie impacts and mitigation will be included in project-level EIR/EISs. Mitigation may include noise-reducing walls for HST. See Standard Responses 3 and 5.

I119-7

The Authority disagrees. The current Revised Draft Program EIR Material is part of the Authority's first-tier, programmatic CEQA compliance. The level of detail in the impacts analysis is tailored to the level of detail of the decision under consideration.

The May 2008 Final Program EIR identified general mitigation strategies to avoid or minimize significant environmental impacts. Mitigation strategies are general methods of avoiding and minimizing impacts that can be refined and tailored to project specific circumstances at the next tier of environmental review. The Authority will consider adopting these strategies when it makes a new program-level decision.

I119-8

The Authority has revised and recirculated certain portions of the May 2008 Final Program EIR as the 2010 Revised Draft Program EIR Material. The purpose of the recirculated material is to comply with the final judgment of the Town of Atherton litigation. The Authority does not believe that additional revision and recirculation is necessary to fully comply with the court judgment and CEQA.

Comment Letter I120 (Peggy Bruggman, April 5, 2010)

I120

Kris Livingston

From: Peggy Bruggman [pbruggman@sbcglobal.net]
Sent: Monday, April 05, 2010 8:26 AM
To: HSR Comments
Subject: Bay Area to Central Valley Revised Draft Program EIR Material Comments

I am a resident of Redwood City, living in the Mezesville neighborhood just north of downtown and on the east side of the railroad tracks. I am strongly opposed to elevated tracks for the high speed rail through our residential neighborhood. Elevated tracks will isolate our neighborhood, create unbearable noise (despite claims that the new trains will be quieter), and generate even more dust and dirt throughout our homes. I believe the only solution is for the tracks to be below ground, and I oppose the idea of elevated tracks. I120-1

Peggy Bruggman
Alden Street
Redwood City
650-368-9284
pbruggman@sbcglobal.net

1

Response to Letter I120 (Peggy Bruggman, April 5, 2010)

I120-1

The Authority Board committed in July 2008 to investigate profile alternatives to avoid and minimize potential impacts, including trench, tunnel, aerial, and at-grade. Although the Authority has rescinded its July 2008 program decision, the commitment to examine profile alternatives has been carried forward into the project level alternatives screening. Greater detail about tunnel and trench options being considered in preliminary alternatives screening for project-level environmental documents can be found on the Authority's website.

Comment Letter I121 (Peggy Chavez, April 14, 2010)

I121

1

Date: 4/14/10

To: Dan Leavitt
California High Speed Rail Authority
925 L St., Suite 1425
Sacramento, CA 95814

Name: Peggy Chavez

Address: 545 Stanford Ave
Redwood City, CA 94063

I am a resident or business owner of the North Fair Oaks area of Redwood City. I submit these comments on the March 2010 Revised Draft Program EIR Material and previous program level EIR for the Bay Area to Central Valley High Speed Train. Here are my concerns:

✓ I am worried about noise and vibrations - With the proposed train scheduled (200 trains a day), and the expected noise "decibel" levels for steel on steel wheels at 125 mph (93 dBA), the noise and vibrations will increase a lot and cause problems at (addresses of all places it could affect, like homes, businesses and any other reasons why):

545 Stanford Ave ;
Redwood City CA 94063

Please analyze and describe how noise levels will increase at these addresses. I121-1

✓ HSR will divide my neighborhood (located at 545 Stanford Ave
Redwood City CA 94063) I121-2

It will add at least 2 tracks to the existing 2 tracks used by Caltrain and Union Pacific and maybe 4 more tracks if Redwood City gets a station and passing sidings are needed. This is a big change from the way it is now and would be like putting a freeway through North Fair Oaks. Making it so wide will mean taking out homes and trees and irreparably damage my neighborhood. To avoid this, I want HSR placed in a tunnel.

✓ My neighborhood will be harmed by extra tracks needed to keep Caltrain running during construction of HSR (under the agreement in Section 7.2.3 , Revised Draft Program EIR I121-3

2

Material). This will cause irreversible damage to neighboring homes and businesses whose property must be taken to run these temporary tracks. I am worried about this at (address):

545 Stanford Ave. Qwcy CA 94063 I121-3 cont.

✓ HSR will harm how we get to school, businesses, and other destinations on the other side of the tracks. Union High School District
Sequoia schools
Garfield School, 3600 Middlefield Rd., Menlo Park, CA 94025 I121-4
NO. Fair Oaks

✓ I don't want property taken by eminent domain. Section 3.2.2 of the Revised Draft Program EIR Material says that there will be a need to take property. This will hurt me and my community, where many people receive low incomes, because it is already very expensive to live here and we can't afford to lose housing. I121-5

___ I am aware that the Alternatives Analysis is considering at-grade option (ground level) and tunnel options for running high speed trains through North Fair Oaks (including my address, above). Our area has a high concentration of people who have been historically discriminated against as well as households receiving low incomes. However, you are also considering trench and above grade options for Redwood City and Atherton (cities to the north and south of North Fair Oaks) and it is unfair that you provide North Fair Oaks with fewer options.

✓ I don't want trees cut down (where)
NO. Fair Oaks, Redwood City, CA. and Menlo Park, CA. I121-6

✓ Although Caltrain already runs through our neighborhood, adding the HSR tracks, plus the extra tracks Caltrain will need to keep running, plus running trains every 5 minutes, will be very harmful to how our community interacts ("community cohesion"), in some ways like putting a freeway where there used to be just 2 train tracks. Please describe how you decided that there will be NO impact on community cohesion for this address.
545 Stanford Ave. / Middlefield.) I121-7

✓ Although Caltrain already runs through our neighborhood, the proposed changes will be a huge change that will be harmful. Adding the HSR tracks, plus the extra tracks Caltrain will need I121-8

Comment Letter I121 - Continued

to keep running during construction, plus running trains every 5 minutes, plus adding high electrical poles and wires, will be harm how our neighborhood looks and will dominate the landscape. Other ways this will hurt how make my area looks: I121-8 cont

Health of individuals/children

I121-9

Please explain how you concluded that the visual impact of HSR on our community will be "low." I121-10

___ Powerful new electrical poles and wires will be needed to run the high speed trains. I am worried about the health effects of electromagnetic fields on people at

(address) 545 Stanford / No. Fair Oaks, I121-11

Please describe the effects and how you will mitigate them.

School Impacts

___ I have children who attend (school name and address:)

1000 Woodside Rd.
Redwood City, CA 94061

___ (number) students attend this school, which is in session from 8 a.m. - 3 p.m.. I request a specific analysis of how noise, vibrations, construction and train operations will affect this school and its students and learning environment. I121-12

✓ Please ensure that any noise impacts on each classroom in this school comply with American National Standards Institute S12.60 Classroom Acoustics Standard and hire an acoustical consultant and ensure that noise levels not exceed 35 dBA in an empty classroom

✓ Please ensure that the noise, construction, pollution and other impacts of HSR do not violate the Americans with Disabilities Act (ADA) and ADA Accessibility Guidelines as applied to school students with hearing, respiratory and other disabilities.

To avoid these problems, you should: I121-13

✓ put the high speed train in a tunnel

___ put the high speed train in a covered trench

✓ route the high speed train next to highway 101 or 280, which would completely avoid the CalTrain corridor problems

___ stop the high speed train in San Jose and have people get onto Caltrain bullet trains to reach San Francisco

Response to Letter I121 (Peggy Chavez, April 14, 2010)

I121-1

See Response to Comment I002-2 regarding noise and vibration.

I121-2

The commenter states that the HST should be put in a tunnel to avoid dividing neighborhoods and causing impacts. The Authority Board committed in July 2008 to investigate profile alternatives to avoid and minimize potential impacts, including trench, tunnel, aerial, and at-grade. Although the Authority has rescinded it's July 2008 program decision, the commitment to examine profile alternatives has been carried forward into the project level alternatives screening. Greater detail about tunnel and trench options being considered in preliminary alternatives screening for project-level environmental documents can be found on the Authority's website. See also Standard Response 3.

I121-3

The 2010 Revised Draft Program EIR Material addresses those topics identified in the final judgment for the Town of Atherton litigation as requiring corrective work under CEQA. Construction impacts was not one of those topics. The 2008 Final Program EIR, Chapter 3.18, describes construction methods and typical impacts. Mitigation strategies were discussed under the various topics in Chapter 3 of the Final Program EIR.

Construction impacts for the HST project vary with location. A detailed impacts analysis of the addition of the HST service to the Caltrain corridor will be undertaken as part of project level engineering and environmental analyses. It is assumed in the Program EIR that Caltrain and HST would remain within the existing right-of-way at most locations, but some temporary construction detours for automobile traffic and shooflies (temporary detours for railway tracks) would be necessary. The specific design and subsequent impacts of temporary construction impacts cannot be assessed until at least 15% engineering design is complete and the full extent of impacts cannot be understood until 30% engineering design is complete during the project level analysis.

Potential impacts include street disruption for relocation of utilities, raising or lowering the grade of the street for a railway grade separation, temporary full or partial closure for grade separation construction or a railway shoofly, loss of on-street parking for the same reasons. Mitigations for these impacts are developed at the project level, once sufficient engineering work has been completed. Potential mitigations could include complex construction staging to minimize the size/scope of street detours/closures or railway shooflies, creation of temporary replacement parking, increased traffic control staff and devices to mitigate temporary lane reductions, educational programs to help motorists avoid construction areas, utilize temporary parking facilities, or activities to encourage patronage of affected commercial areas. Mitigations for noise during construction can include early construction of sound walls, temporary sound walls and restricted work hours. The Authority would work with local agencies prior to and during construction to minimize impacts on adjacent land uses.

I121-4

As noted in Chapter 3.7, Land Use, in the 2008 Final Program EIR, the project would construct grade separations where none previously existing thereby improving circulation between neighborhood areas and schools, businesses and other destinations. There is the potential for temporary circulation impacts to occur during construction. Specific locations and the scale of construction impacts will be further examined in detail at the project level because they are a product of the HST system design, and the detail necessary to identify the presence of the impact, the level of significance, and mitigation can only be done at the project level. Also as noted in Chapter 3.7 of the Final Program EIR, mitigations strategies such as a traffic management plan would be prepared to reduce circulation and barrier effects during construction.

I121-5

Comment acknowledged. The Authority has sought to utilize existing transportation corridors to the greatest extent feasible to minimize environmental impacts and to minimize the need for private property acquisition. In some instances, however, it will be necessary to acquire private property to construct the HST system. Eminent domain is the inherent power of the government to acquire private property for public use. The owners of such private property shall not be deprived of their property without just compensation as provided in the Fifth and Fourteenth Amendments to the United States Constitution and Article I of the California Constitution. Any property acquisition and relocation will be required to comply with the Federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 as amended and Title VI and Title VIII of the Civil Rights Acts of 1964 and 1968, respectively.

I121-6

A detailed impacts analysis of the addition of the HST service to the Caltrain corridor in Burlingame is currently underway as part of project level engineering and environmental analyses. Removal of eucalyptus trees and other mature trees along the Caltrain corridor will be avoided to the extent possible. Operational and construction impacts including those related to the removal of eucalyptus trees along the Caltrain corridor will be addressed as part of project-level EIR/EIS. Specific locations and the scale of impacts will be further examined in detail at the project level because they are a product of the HST system design, and the detail necessary to identify the presence of the impact, the level of significance, and mitigation can only be done at the project level.

I121-7

As noted in Chapter 3.7, Land Use, in the 2008 Final Program EIR, the San Francisco to San Jose corridor would be primarily within an existing active commuter and freight rail corridor and therefore would not constitute any new physical or psychological barriers that would divide, disrupt, or isolate neighborhoods, individuals, or community focal points in the corridor. This resulted in a finding of no community cohesion impacts at the program level. In addition, construction of grade separations where none previously existing would improve circulation between neighborhood areas. The Authority Board committed in July 2008 to investigate profile alternatives to avoid and minimize potential impacts, including trench, tunnel, aerial, and at-grade between San Francisco and San Jose. Although the Authority has rescinded it's July 2008 program decision, the commitment to examine profile alternatives has been carried forward into the project level alternatives screening.

I121-8

A detailed impacts analysis of the addition of the HST service to the Caltrain corridor is currently underway as part of project level engineering and environmental analyses. Operational and construction impacts including those related to the addition of HST trains to the Caltrain corridor, Caltrain service, HST catenary system, and visual quality impacts will be addressed as part of project-level EIR/EIS.

I121-9

The commenter expresses concerns that the HST would impact the health of individuals and children, but does not state how this would occur. Several health-related topics were addressed at the program level in the May 2008 Final Program EIR and in the 2010 Revised Draft Program EIR Material, including noise and vibration, air quality, safety, and hazardous materials. Additional analysis of these topics will be included during the project-level EIR/EIS analysis.

I121-10

Visual impacts of the HST system for the San Francisco to San Jose corridor were evaluated at the program level in Chapter 3.9 of the May 2008 Final Program EIR. As noted in the Final Program EIR, in most locations the addition of two tracks within the Caltrain right-of-way would result in a low impact while in some locations there would be a high visual impact such as where vegetation and landscaping would be removed, addition of pedestrian overcrossings, or where the HST alignment would pass over roadways. However, overall the visual impact was identified to be low. The March 2010 Revised Draft EIR Material identified that some limited right-of-way

acquisition would be required along the Caltrain corridor between San Francisco and San Jose in some narrow areas. As part of the follow-on preliminary engineering and project-level EIR/EIS effort, design variations may be applied to reduce some of the impacts to properties and visual impacts.

I121-11

See Response to Comment I028-10.

I121-12

The Revised Draft Program EIR Material addresses those topics identified in the final judgment for the Town of Atherton litigation as requiring corrective work under CEQA. Like the original Bay Area to Central Valley Program EIR, the recirculated material involves a programmatic level of detail. Site specific noise analysis, including a detailed evaluation of impacts to sensitive receptors such as schools, will be part of subsequent project-level EIR/EISs. The Authority will consider the comment as part of the project-level EIR/EIS processes. The Authority will consider the comment as part of the project-level EIR/EIS processes.

I121-13

See Standard Response 10 regarding alternatives.

Comment Letter I122 (Harriet Hardman, April 14, 2010)

I122

512 Stanford Ave
Redwood City CA 94063

To: Dan Leavitt
California High Speed Rail Authority

Dear Sir.

I am a resident of the North Fair Oaks area of Redwood City, at 512 Stanford Avenue and I am writing about my concerns about the proposed high speed rail train. Some background:

- We are a **high density neighborhood** – ~~my house is not unusual in having only a~~ 2500 square foot lot. Many of my neighbors have children and grandparents living in the same household. Most of our houses have multiple occupants.
- We represent one of the last pockets of **affordable housing** on the peninsula.
- We are also **largely Hispanic and low-income**, a population that is not always able to speak up because of barriers relating to language and education.
- Our neighborhood is sandwiched between highway 101 and the current Caltrain track, on the flight approach for the San Carlos Airport. As a result, **the ambient noise in our neighborhood is already high**. I122-1

Problems with Noise:
Adding an above-ground train track seems like it would **increase our noise load to an unacceptable level**. In addition, higher noise levels would affect many more people in our neighborhood than in lower density neighborhoods. Because we are a lower income neighborhood, people couldn't easily afford to mitigate the noise with, for example, thicker windows. In addition, because our houses are smaller and we are a community-oriented area, we spend more time in our yards so our lifestyles would be more affected by increased noise.

Problems with Space:
Any property that has to be expropriated to widen the tracks in our area will reduce our supply of affordable housing and because our lots are small, more houses would be removed than in lower density areas. We already suffer because the current Caltrain track bisects our neighborhood and reduces walkability and accessibility for residents of my area because there is no way to cross the tracks between 5th Avenue and Chestnut St. and businesses on El Camino Real are consequently hard to reach. Wider tracks and more trains would make this even harder I122-2

The wealthier neighboring cities are spending a great deal of money lobbying to have noise mitigation like having the train in a tunnel or trench in their areas. We are not as wealthy, but because we are higher density, more people will be affected by the negative consequences of the new trains and declining property values will hurt disproportionately more. Therefore I would strongly urge you to consider how the train tracks can either be routed through an area that can accommodate higher noise levels or put the train in a tunnel so that our neighborhood is not degraded past the threshold of reasonable comfort. I122-3

Thank you,
H Hardman

1

Date: 14 April 2010

To: Dan Leavitt
California High Speed Rail Authority
925 L St., Suite 1425
Sacramento, CA 95814

Name: Harriett Hardman
Address: 512 Stanford Ave
Redwood City CA 94063

I am a resident or business owner of the North Fair Oaks area of Redwood City. I submit these comments on the March 2010 Revised Draft Program EIR Material and previous program level EIR for the Bay Area to Central Valley High Speed Train. Here are my concerns:

X I am worried about noise and vibrations - With the proposed train scheduled (200 trains a day), and the expected noise "decibel" levels for steel on steel wheels at 125 mph (93 dBA), the noise and vibrations will increase a lot and cause problems at (addresses of all places it could affect, like homes, businesses and any other reasons why): I122-4
I work at home & spend a lot of time in my backyard. More noise would be a significant degradation of quality of life, including sleep interruption due to noise.
Please analyze and describe how noise levels will increase at these addresses.

X HSR will divide my neighborhood (located at businesses on El Camino & Middlefield harder to get to) I122-5
It will add at least 2 tracks to the existing 2 tracks used by Caltrain and Union Pacific and maybe 4 more tracks if Redwood City gets a station and passing sidings are needed. This is a big change from the way it is now and would be like putting a freeway through North Fair Oaks. Making it so wide will mean taking out homes and trees and irreparably damage my neighborhood. To avoid this, I want HSR placed in a tunnel.

___ My neighborhood will be harmed by extra tracks needed to keep Caltrain running during construction of HSR (under the agreement in Section 7.2.3 , Revised Draft Program EIR

Comment Letter I122 - Continued

Material). This will cause irreversible damage to neighboring homes and businesses whose property must be taken to run these temporary tracks. I am worried about this at (address):

_____

_____

X HSR will harm how we get to school, businesses, and other destinations on the other side of the tracks. I122-6

even more problematic than it is now.

X I don't want property taken by eminent domain. Section 3.2.2 of the Revised Draft Program EIR Material says that there will be a need to take property. This will hurt me and my community, where many people receive low incomes, because it is already very expensive to live here and we can't afford to lose housing. We're one of the few affordable housing areas. I122-7

X I am aware that the Alternatives Analysis is considering at-grade option (ground level) and tunnel options for running high speed trains through North Fair Oaks (including my address, above). Our area has a high concentration of people who have been historically discriminated against as well as households receiving low incomes. However, you are also considering trench and above grade options for Redwood City and Atherton (cities to the north and south of North Fair Oaks) and it is unfair that you provide North Fair Oaks with fewer options. I122-8

X I don't want trees cut down (where) Our neighborhood needs more trees, not fewer. We are a higher density area and noise affects MORE people in this area.

X Although Caltrain already runs through our neighborhood, adding the HSR tracks, plus the extra tracks Caltrain will need to keep running, plus running trains every 5 minutes, will be very harmful to how our community interacts ("community cohesion"), in some ways like putting a freeway where there used to be just 2 train tracks. Please describe how you decided that there will be NO impact on community cohesion for this address. I122-9

_____

_____),

X Although Caltrain already runs through our neighborhood, the proposed changes will be a huge change that will be harmful. Adding the HSR tracks, plus the extra tracks Caltrain will need I122-10

to keep running during construction, plus running trains every 5 minutes, plus adding high electrical poles and wires, will be harm how our neighborhood looks and will dominate the landscape. Other ways this will hurt how make my area looks:

_____ I122-10 cont.

_____

_____

Please explain how you concluded that the visual impact of HSR on our community will be "low."

X Powerful new electrical poles and wires will be needed to run the high speed trains. I am worried about the health effects of electromagnetic fields on people at

(address) 512 Stanford Ave Redwood City CA I122-11

_____

Please describe the effects and how you will mitigate them.

School impacts

____I have children who attend (school name and address:)

_____

_____. ____ (number) students attend this school, which is in session from _____ a.m. - _____ p.m.. I request a specific analysis of how noise, vibrations, construction and train operations will affect this school and its students and learning environment.

____ Please ensure that any noise impacts on each classroom in this school comply with American National Standards Institute S12.60 Classroom Acoustics Standard and hire an acoustical consultant and ensure that noise levels not exceed 35 dBA in an empty classroom

___Please ensure that the noise, construction, pollution and other impacts of HSR do not violate the Americans with Disabilities Act (ADA) and ADA Accessibility Guidelines as applied to school students with hearing, respiratory and other disabilities.

To avoid these problems, you should:

X put the high speed train in a tunnel

X put the high speed train in a covered trench

X route the high speed train next to highway 101 or 280, which would completely avoid the CalTrain corridor problems I122-12

X stop the high speed train in San Jose and have people get onto Caltrain bullet trains to reach San Francisco

Response to Letter I122 (Harriet Hardman, April 14, 2010)

I122-1

See Standard Responses 3 and 5.

More detailed information and analysis of nosie impacts and mitigation will be included in project-level EIR/EISs. Residential outdoor use area are considered in the project-level noise analysis. The noise analysis will consider the number of receivers affected by significant noise impacts. The responsibility for mitigation lies with the Authority.

I122-2

As noted in Chapter 3.7, Land Use, in the 2008 Final Program EIR, the San Francisco to San Jose corridor would be primarily within an existing active commuter and freight rail corridor and therefore would not constitute any new physical or psychological barriers that would divide, disrupt, or isolate neighborhoods, individuals, or community focal points in the corridor. In addition, construction of grade separations where none previously existing would improve circulation between neighborhood areas. Aligning the HST system with existing transportation corridors also presents opportunities to minimize the need for private property acquisitions in some areas. In some instances, however, it will be necessary to acquire private property to construct the HST system. Specific property that may be necessary to implement a particular project level alignment alternative will be addressed during the project-level environmental process. Eminent domain is the inherent power of the government to acquire private property for public use. The owners of such private property shall not be deprived of their property without just compensation as provided in the Fifth and Fourteenth Amendments to the United States Constitution and Article I of the California Constitution. Any property acquisition and relocation will be required to comply with the Federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 as amended and Title VI and Title VIII of the Civil Rights Acts of 1964 and 1968, respectively. See also Standard Response 7.

I122-3

The Authority Board committed in July 2008 to investigate profile alternatives to avoid and minimize potential impacts, including trench, tunnel, aerial, and at-grade between San Francisco and San Jose. Although the Authority has rescinded it's July 2008 program decision, the commitment to examine profile alternatives has been carried forward into the project level alternatives screening. See also Response to Comment I304-9.

I122-4

The potential noise and vibration effects of the HST operations will be estimated and assessed using the Federal Railroad Administration (FRA) guidance contained in their “High-Speed Ground Transportation Noise and Vibration Impact Assessment Report” October 2005. The assessments will be done for representative residential receivers located along each of the HST Project sections. See Standard Responses 3, 5, and 6.

I122-5

The commenter states that the HST should be put in a tunnel to avoid dividing neighborhoods and causing impacts. The Authority Board committed in July 2008 to investigate profile alternatives to avoid and minimize potential impacts, including trench, tunnel, aerial, and at-grade. Although the Authority has rescinded it's July 2008 program decision, the commitment to examine profile alternatives has been carried forward into the project level alternatives screening. Greater detail about tunnel and trench options being considered in preliminary alternatives screening for project-level environmental documents can be found on the Authority's website. See also Standard Response 3.

I122-6

As noted in Chapter 3.7, Land Use, in the 2008 Final Program EIR, the project would construct grade separations where none previously existing thereby improving circulation between neighborhood areas

and schools, businesses and other destinations. There is the potential for temporary circulation impacts to occur during construction. Specific locations and the scale of construction impacts will be further examined in detail at the project level because they are a product of the HST system design, and the detail necessary to identify the presence of the impact, the level of significance, and mitigation can only be done at the project level. Also as noted in Chapter 3.7 of the Final Program EIR, mitigations strategies such as a traffic management plan would be prepared to reduce circulation and barrier effects during construction.

I122-7

See Standard Response 7.

I122-8

See Standard Response 10 regarding alternatives. See also Standard Response 5 regarding noise. See Chapter 3.7 in the 2008 Final Program EIR regarding environemental justice and potential impacts on minority and low-income populations. These issues will be addressed at the project-level environmental document stage when more details and specifics are known regarding the alignment location and design.

I122-9

As noted in Chapter 3.7, Land Use, in the 2008 Final Program EIR, the San Francisco to San Jose corridor would be primarily within an existing active commuter and freight rail corridor and therefore would not constitute any new physical or psychological barriers that would divide, disrupt, or isolate neighborhoods, individuals, or community focal points in the corridor. This resulted in a finding of no community cohesion impacts at the program level. In addition, construction of grade separations where none previously existing would improve circulation between neighborhood areas. The Authority Board committed in July 2008 to investigate profile alternatives to avoid and minimize potential impacts, including trench, tunnel, aerial, and at-grade between San Francisco and San Jose. Although the Authority has rescinded it's July 2008 program decision, the commitment to examine profile alternatives has been carried forward into the project level alternatives screening.

I122-10

A detailed impacts analysis of the addition of the HST service to the Caltrain corridor is currently underway as part of project level engineering and environmental analyses. Operational and construction impacts including those related to the addition of HST trains to the Caltrain corridor, Caltrain service, HST catenary system, and visual quality impacts will be addressed as part of project-level EIR/EIS.

I122-11

The Revised Draft Program EIR Material addresses those topics identified in the final judgment for the Town of Atherton litigation as requiring corrective work under CEQA. Electromagnetic fields (EMF) was not one of those topics. Please see Section 3.6 of the May 2008 Final Program EIR. The analysis identified that the HST project (and it's electrical supply and facilities) would have minimal electromagnetic interference (EMI)/EMF exposures at levels for which there are no documented health risks are anticipated and that EMI/EMF concerns are less than significant at the programmatic level under CEQA and not significant under NEPA. Furthermore, the Authority in the CEQA findings and the FRA in the ROD for the 2005 Statewide Program EIR/EIS adopted design practices and mitigation strategies to address potential EMI/EMF issues for the HST system to be applied and refined at the project-level in the future. It is anticipated that the use of the design practices and mitigation strategies will reduce exposure to EMFs and reduce the potential for EMI with biomedical devices to the lowest practical level.

Standard design practices for overhead catenary power supply system substations, transmission lines, and vehicles of the approved HST system include the use of appropriate materials, spacing, and, if necessary, shielding to avoid potential EMF/EMI impacts and to reduce the EMFs and EMI to a practical minimum. More detailed information and analysis on potential EMI/EMF impacts will be included in project-level environmental documents.

I122-12

See Standard Response 10 regarding alternatives.

Comment Letter I123 (Gwenythe J. Scove, April 26, 2010)

I123

Kris Livingston

From: Gwenythe Scove [gjscovela@sbcglobal.net]
Sent: Monday, April 26, 2010 4:01 PM
To: HSR Comments
Cc: Assemblymember.Ruskin@assembly.ca.gov; senator.simitian@sen.ca.gov; Redwood City Council
Attachments: Arguello Biz. Redwood City.jpg

Dear Mr. Leavitt and the High Speed Rail Authority:

Attached for your information and to include in the record, please find a photo of vital neighborhood businesses that would be destroyed by the HSR project as proposed. I live 2 blocks from the existing CalTrain ROW. This neighborhood is pedestrian oriented with many of us using public transit (CalTrain or Samtrans), walking or biking to work, socialize and get to school. Our homes and businesses would suffer severe impacts from high speed rail along the Caltrain alignment would have major and extremely significant impacts on me and my neighbors. As a licensed Landscape Architect (CLA # 3942), I am offering my expert opinion pertaining to HSR.

I123-1

I believe the impacts to our neighborhood have not been properly investigated or mitigated. These include unbearable noise from elevated tracks, increased dust which will harm plants, gardens, and other vegetation, altered wind patterns, and a "Berlin Wall" separating our neighborhood from the rest of Redwood City. Projects where this type of structure have been built have had very negative effects on neighborhoods, often turning otherwise working class neighborhoods into ghettos, dominated by a towering structure. In addition, the proposed route will destroy numerous businesses along Arguello (between Brewster and Whipple) that serve our neighborhood -- a laundromat, a grocery store and Mexican restaurant, massage and sauna facility and a rental center, to name a few.

The law requires you to identify ways to eliminate or to mitigate these impacts to the greatest degree feasible. I believe that the project should be redesigned to include measures that will achieve this goal or a different alignment or project alternative chosen. The Altamont Pass route to 101 would be best. The EIR should also more thoroughly examine the possibility of routing the HSR along the Highway 280 corridor or the Highway 101corridor. A highway 101 route could also be designed to protect inboard communities from sea level rise. The most logical terminus for the HSR is San Jose. All of these routes would eliminate the terrible impacts on our neighborhood. If the worst case scenario is selected along the Caltrain route, HSR must be built underground in Redwood City and other neighboring cities, as opposed to the elevated tracks now being considered. This too would modify the impacts on our community.

I123-2
I123-3
I123-4
I123-5

I request that you revise the Draft EIR to include study of the alternatives outlined above.

I123-6

Gwenythe J. Scove
Landscape Architecture
330 Alden Street
Redwood City, CA 94063
650-369-0211
gjscovela@sbcglobal.net

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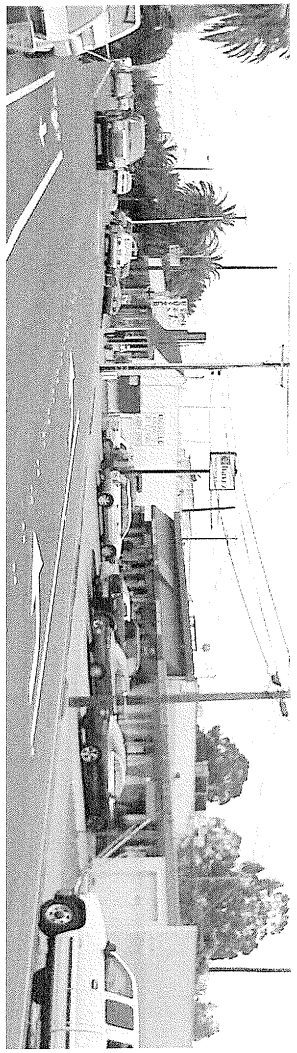

Response to Letter I123 (Gwenythe J. Scove, April 26, 2010)

I123-1

The commenter expresses concerns about several environmenal impacts that they felt had not been adequately investigated and mitigated, including noise, dust, climate, and businesses. See Standard Response 2 regarding the tiered planning and environmental processes.

The commenter also expresses concern about a "Berlin Wall" dividing their community (Redwood City). As noted in Chapter 3.7, Land Use, in the 2008 Final Program EIR, the San Francisco to San Jose corridor would be primarily within an existing active commuter and freight rail corridor and therefore would not constitute any new physical or psychological barriers that would divide, disrupt, or isolate neighborhoods, individuals, or community focal points in the corridor. Also, visual mitigation strategies were included the 2008 Final Program EIR to minimize impacts of the project including using aesthetic treatments, landscaping, and design. The Authority Board committed in July 2008 to investigate profile alternatives to avoid and minimize potential impacts, including trench, tunnel, aerial, and at-grade between San Francisco and San Jose. Although the Authority has rescinded its July 2008 program decision, the commitment to examine profile alternatives has been carried forward into the project level alternatives screening.

I123-2

See Standard Response 10 regarding alternatives.

I123-3

The Superior Court in the Town of Atherton case held the Authority has substantial evidence supporting the elimination of U.S. 101 alignment alternative from study in the 2008 Bay Area to Central Valley Program EIR. See Appendix A of the 2010 Revised Draft Program EIR (page 19). The Authority and the FRA considered a potential HST alternative along U.S. 101 between San Francisco and San Jose as part of the Statewide Program EIR/EIS process and the Bay Area to Central Valley Program EIR/EIS process. The U.S. 101 alternative was screened out from further study in the program environmental documents for practicability reasons . The Authority and FRA revisited this alignment alternative as part of the alternatives screening for the project level environmental documents. The alternatives analysis affirmed the previous conclusions that this alternative was not practicable. As noted in Table 2.5-4 of the Final Program EIR/EIS (page 2-43), the U.S. 101 option was rejected from further consideration. Please also see Appendix 2-G1.1 in the Final Program EIR/EIS for a discussion of alignment alternatives and station location options eliminated from further consideration.

I123-4

The Authority disagrees with the commenter's statement.

I123-5

See Standard Response 10 regarding vertical profile alternatives.

I123-6

Comment acknowledged.

Comment Letter I124 (Gwenythe J. Scove, April 5, 2010)

I124

Kris Livingston

From: Gwenythe Scove [gjscovela@sbcglobal.net]
Sent: Monday, April 05, 2010 2:07 PM
To: HSR Comments
Subject: EIR scoping for High Speed Rail - ENVIROINMENTAL RACISM

To whom it may concern,

The proposed high-speed rail project has the potential to create tremendous negative effects on Redwood City in general and my neighborhood in particular, despite the silence of the Redwood City Council. These Councilmembers do not represent the citizens of Redwood City, as anyone familiar with local politics will tell you. These negative effects can only be mitigated by putting the entire project underground, if the route is to run under/along/over the existing CalTrain right of way. Luckily, all the dirt removed for the tunnel could be immediately used to elevate Hwy. 101, thereby creating a much needed berm against predicted sea level rise. Nice! I124-1

I believe that this project, as proposed to extend to downtown San Francisco, will cost a lot more and be much more complicated than would a more sensible Los Angeles to San Jose and on to Sacramento route. Caltrains already provides rail service to San Francisco, which is a dead end for rail. The extension to San Francisco is ego-politics at best and short-sighted at worst and will have a disasterous effect on neighborhoods like mine, within 1/4 mile from the tracks. I124-2

If Mr. Kopp must have his little train run all the way to San Francisco, an alternate route to San Francisco from San Jose that would benefit the Peninsula would be to run along/under I 280, thus serving a population with a transit option currently not available. Another really feasible option would be to run the high speed rail under/over Hwy. 101. Please include studying these options in the upcoming EIR. I124-3

To reiterate, I vehemently oppose a above the ground route for high speed rail running through Redwood City. This is a classic example of environmental racism/classism - NO THANK YOU! I124-4

Thank you,

Gwenythe J. Scove
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2000 Broadway
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Response to Letter I124 (Gwenythe J. Scove, April 5, 2010)

I124-1

The commenter expresses a preference for an underground alignment to mitigate impacts related to the HST in Redwood City. The Authority Board committed in July 2008 to investigate profile alternatives to avoid and minimize potential impacts, including trench, tunnel, aerial, and at-grade between San Francisco and San Jose. Although the Authority has rescinded its July 2008 program decision, the commitment to examine profile alternatives has been carried forward into the project level alternatives screening.

The commenter states that if a tunnel were constructed for HST, the excess material removed during construction could be used to elevate U.S. Highway 101 on a berm to protect against expected sea level rise. Improvements to U.S. Highway 101 are not part of the HST project. If a tunnel alternative is selected, the disposition of excess materials will be addressed in the site-specific, project-level environmental analysis.

I124-2

The Authority disagrees with the commenter's statement. See Standard Response 10 regarding route alternatives.

I124-3

The Authority disagrees with the commenter's statement. See Standard Response 10 regarding route alternatives.

I124-4

See Responses to Comment 1017-4 and O018-9.

Comment Letter I125 (Ed Aguilar, April 8, 2010)

I125

Kris Livingston

From: EDWARD AGUILAR [edaguilar49@hotmail.com]
Sent: Thursday, April 08, 2010 5:20 PM
To: HSR Comments
Cc: plandiv.info@cityofpaloalto.org; assemblymember.ruskin@assembly.ca.gov; senator.simitian@sen.ca.gov; edaguilar49@hotmail.com
Subject: BAY AREA TO CENTRAL VALLEY REVISED DRAFT PROGRAM EIR MATERIAL COMMENTS

As a quality of life issue, the passage of the HSR through Palo Alto (and the mid-peninsula)should be in a **tunnel** and not just in a trench. The rails will not only be used by electrified Caltrain and the HSR but by freight trains which will be power by diesel. The fumes and noise from the diesel freight trains will spill out from an uncovered trench and effect the surrounding environment (neighborhood).

In a tunnel implementation the fumes can be captured and filtered before sending the air off into the atmosphere. The noise emanating from the trains can be muffled so that the neighborhood will not hear the passing trains. The surface level above the tunnel can become a parkway, an improvement to the value and use of the area. The taxation of the improved neighborhood will help off set the probable increase in cost of the implemented tunnel. I125-1

In any case, we have an opportunity **now** (that should not pasted by) to do something which will improve our quality of life and serve us well into the future.

Sincerely,
Ed Aguilar

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Response to Letter I125 (Ed Aguilar, April 8, 2010)

I125-1

See Standard Response 10 regarding vertical profile alternatives.

Comment Letter I126 (Penny Ellson, April 27, 2010)

I126

Kris Livingston

From: Penny Ellson [pellson@pacbell.net]
Sent: Tuesday, April 27, 2010 12:03 AM
To: HSR Comments
Subject: Comment re: HST Program EIR/EIS
Attachments: HST Comments.doc

Further Comments.

Thank you.

–Penny Ellson, 513 El Capitan Place, Palo Alto, CA 94306

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April 26, 2010

Dan Leavitt, Deputy Director
California High Speed Rail Authority
925 L Street, Suite 1425
Sacramento, CA 95814

RE: Comments on Bay Area to Central Valley HST Final Program EIR/EIS

Dear Mr. Leavitt,

Comments on Bay Area to Central Valley HST Final Program EIR/EIS
3.1 Traffic, Transit, Circulation, and Parking

3.1-1
EIR/EIS states *"Once primary routes were identified, screenlines or cordons combining segments of the primary access routes were established. These segments reasonably represent locations for evaluating the aggregate baseline traffic and public passenger transportation conditions (using data for 2005 and 2030) in the generalized peak hour. The use of screenlines or cordons rather than detailed traffic analysis is appropriate for the broad scale and program level of this analysis of roadway conditions in the vicinity of proposed HST station location options throughout the study region."* (underlined emphasis is mine) I126-1

This foundational premise of the methodology for evaluation of impacts is a broad assertion with no basis in data or facts that I could find anywhere in this document. This is an erroneous assumption and the EIR/EIS is, therefore, inadequate.

3.1-4
EIR/EIS states *"Under CEQA, the proposed project would have a significant impact related to transportation and traffic if the project would result in:*
• Substantial increase in traffic on roadways that exceeds the V/C."
The EIR/EIS looks at HST effects on freeway links, but fails to look at local arterials, state and county highways and expressways and connector streets. We have been told that the project EIR will study effects on these other streets that feed to the freeway links. To get from the stations to the freeway, drivers need these local streets to work. **If impacts of the project on local streets that feed to the freeways are not adequately mitigated, the analysis of HST effects on those freeway links should be reevaluated as impacts on local streets tend to ripple out to freeway links and vice versa. Without a complete and adequate Project EIR including mitigations for these local streets, the Program EIS/EIR is inadequate.** I126-2
• Inadequate parking capacity.
• Substantial interference with goods movement.
• Substantial interference with or lack of connectivity with other transit systems.

3.1-28
EIR/EIS cites Palo Alto Crosstown/Embarcadero Shuttles at available intermodal connections. It should be noted that shuttle schedule reductions have been identified as potential budget cut items. I126-3

Comment Letter I126 - Continued

3.7 Land Use and Planning, Communities and Neighborhoods, Property, and Environmental Justice

3.7-1 EIR/EIS states that *"Because this is a programmatic environmental review, the analysis of these potential impacts was performed on a broad scale to permit a comparison of relative differences among the alignment alternatives. Further evaluation would occur at the project – level environmental review."*

The result of this broad brush approach is to ignore differences between large swaths of cities on the Peninsula. A quick look at the section that incorporates Palo Alto shows that the areas studied include very large R-1 residential zones and parks clustered with smaller zones designated for high density transit-oriented development, large school properties and medical facilities that abut the tracks, and commercial zones, without any differentiation within the study area. Broad generalizations are made to characterize the area, and the result is a completely inaccurate picture of the represented communities and the potential impacts of the HST project on those communities. The conclusions drawn from this approach are useless for any practical planning purposes, and they render the EIR/EIS inadequate.

I126-4

Response to Letter I126 (Penny Ellson, April 27, 2010)

I126-1

The Authority disagrees that impacts and mitigation measures were not properly investigated. The current Revised Draft Program EIR Material is part of a first-tier, programmatic environmental review process examining the impacts of 21 network alternatives at a broad level of detail. See Standard Response 2 regarding the tiered planning and environmental process.

I126-2

Detailed traffic impact analysis study conducted at project-level will evaluate potential traffic impacts due the proposed HST project. Potential impacts to state and county highways in the project corridor, in addition to effects on key intersections and local roads near the proposed HST stations will be evaluated in detail.

I126-3

Comment acknowledged.

I126-4

See Standard Response 3.

Comment Letter I127 (Christopher A. Botsford, April 22, 2010)

I127

APR 2 3 2010

2370 Amherst St.
Palo Alto, CA 94306
April 20, 2010
cbotsford@mindspring.com

Dan Leavitt, Deputy Director
California High-Speed Rail Authority
925 L Street, Suite 1425
Sacramento, CA 95814

Subject: Bay Area to Central Valley Revised Draft Program-Level EIR Material Comments

Dear Mr. Leavitt:

Many thanks for the privilege of commenting on the California High-Speed Rail Authority's recent Bay Area to Central Valley High-Speed Train Revised Draft Program EIR Material. Although I also have serious concerns with many aspects of the earlier Program EIR/EIS, I'm here limiting my comments to the HST impacts on Palo Alto's historic and cultural resources and the failure of the revised draft to identify and deal with them in a more serious and detailed manner.

The Program EIR/EIS dealt with the HST impact on only three Palo Alto historic resources: the iconic redwood tree, *El Palo Alto;* an adjacent 1902 truss bridge; and the 1941 art-deco Southern Pacific train depot. Curiously, the impact on all three was limited to the "visual." The Revised Draft Program gives Palo Alto's resources even shorter shrift. At best, it lists only the total numbers of certain "known" cultural resources within different "network alternatives. It doesn't identify and name each type of resource, making it impossible to assess the significance of the impacts. There are vague references to historic "districts, properties, and buildings" and only occasional mention of specific historic sites, such as San Jose's Santa Clara de Asis Mission. No additional Palo Alto sites are identified. I127-1

Instead, the Revised Draft Program EIR Material needed to reflect a thorough environmental review of those historic resources that could be adversely affected by the HST project - at the very least, those on the list compiled by the Palo Alto Historic Resources Board and included with comments in the City of Palo Alto's letter to HSR Authority in March, 2009. The list isn't long - there are only eight sites (including the three mentioned in the Program EIR/EIS), and all are confined to property currently adjacent to the existing Caltrain track corridor. All are listed or eligible for listing on the National Register of Historic Places and/or the California Register of Historical Resources, structures listed on the City of Palo Alto's Historic Inventory, and areas identified as potential National Register historic districts in the "Palo Alto Historical Survey Update:Final Survey Report" by Dames & Moore, dated February 2001. Sadly, the revised draft program utterly failed to both seriously analyze the enviornmental impacts on these identified historic structures/areas and identify alternatives that would avoid or minimize those project impacts.

Finally, in addition to proposing and documenting sufficiently strong measures to mitigate the noise, vibration and visual impacts of the HST system on Palo Alto's historical resources, the Revised Draft Program EIR Material ought clearly to have included an evaluation of impacts and provided mitigation to offset disturbance of any Native American archeological sites located adjacent to the Caltrain right-of-way.

Sincerely,

Christopher A. Botsford

Response to Letter I127 (Christopher A. Botsford, April 22, 2010)

I127-1

See Response to Comment L003-79.

Comment Letter I128 (Steve Broadbent, April 26, 2010)

I128

Kris Livingston

From: Steve Broadbent [sbroadbent@comcast.net]
Sent: Monday, April 26, 2010 4:41 PM
To: HSR Comments
Cc: sbroadbent@comcast.net
Subject: Bay Area to Central Valley Revised Draft Program EIR Material Comments

Dan Leavitt
California High-Speed Rail Authority
925 L Street, Suite 1425
Sacramento, CA 95814
Attn: Bay Area to Central Valley Revised Draft Program EIR Material Comments

Dear Leavitt:

Thank you for the opportunity to comment on the Bay Area to Central Valley Revisd Draft Program EIR Material.

I am in full support and endorse the comments sent to you under separate cover by the City of Palo Alto,
Office of the Mayor and City Council, dated April 23, 2010, signed by Pat Burt, Mayor.

I especially want to emphasize the following critical comments: I128-1

- No scoping sessions or public meetings were held anywhere on the Peninsula between San Jose and San Francisco for the Revised Draft Program EIR. The failure of the California High-Speed Rail Authority (CHSRA) to solicit comments from communities along the Peninsula during the scoping process, the EIR/EIS public review process, or the Revised Draft Program EIR process precluded the effective participation of affected communities on the Peninsula and defeated the public information and disclosure purposes of the California Environmental Quality Act (CEQA) as it relates to those portions of the project that would be implemented on the Peninsula.
- Significant new information exists, under many environmental parameters, which makes the earlier Program EIR/EIS invalid and requires a recirculation of the Program EIRJEIS, as well as recirculation of the Revised Program EIR. I128-2
- The ridership and revenue modeling used for the analysis and alternatives comparison is flawed, particularly given the new information provided in the 2009 Business Plan update and the major shifts in the economy since the forecasting was last completed. The ridership models need to be revised to provide a more accurate forecast of ridership. I128-3
- The need to evaluate impacts from Union Pacific Railroad's (UPRR) recent refusal to share its ROW may render the proposed Central Valley to Bay Area alignment infeasible. The emerging uncertainty regarding the availability of the UPRR ROW requires the Authority to identify and evaluate other alternative alignments for not only the Pacheco Pass but also the Altamont Pass, including an Altamont Pass alignment that would run along State Route 84 through the East Bay rather than along the UPRR ROW. I128-4
- Limiting the scope of comments to the Revised Materials is inappropriate if the original analysis was flawed. Some fundamental assumptions and underpinnings of the analysis, such as the ridership projections and business plan, have been shown to be flawed; as such, all subsequent impact analyses that propagate these errors are themselves flawed. I128-5

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- The Revised Draft Program EIR indicates that, even though the Authority has not completed or certified the Final Program EIR/EIS for the Central Valley to Bay Area High Speed Train, and even though this document is intended to serve as the basis for the Authority's selection of one or more HST rail alignments between the Central Valley and the Bay Area, the Authority is nonetheless proceeding with its project-level environmental review for specific segments of the HST system within the Bay Area and Central Valley. This strongly suggests that the Authority has predetermined the rail alignments for the HST system, without sufficient regard for the conclusions and outcome of the environmental review. Until the Final Program EISIEIR is complete, the Authority will not have sufficient information to appropriately evaluate all the possible alignment alternatives. It is inappropriate for the Authority to proceed with the project-level evaluations of specific segments of the HST system until the Authority has fully and adequately evaluated all the possible alignment alternatives in the Final Program EIRIEIS, and certified that document as adequate under NEPA and CEQA. I128-6
- The project description is essentially limited to the alignment of the track corridors and possible stations, but does not mention the additional support facilities, other than the maintenance facility, that would be needed. These additional support facilities would include layover facilities, turnouts, bridges, and tunnels, advanced signaling and communications systems, electrification facilities, station automobile parking structures, and the public open spaces needed to support the pedestrian traffic generated by the hub stations. The Revised Program EIR is inadequate because they are not identified or analyzed in the document. If the potential environmental impacts of these supporting facilities are not going to be addressed in the Program EIR, they should be identified, the typical effects explained, and should be addressed in detail in the forthcoming project-level engineering and environmental reviews. I128-7
- Grade separations are not identified in the document. The document should indicate which crossings are expected to be separated, and define whether each intersection is to be separated by underpasses or overpasses (presumably the vehicular and pedestrian traffic and not the HST). Grade separations cause substantially more construction, surface disturbance, noise, air quality, aesthetics, and transportation conflicts. An elevated railway would be a significant change from the existing landscape, and could have significant impacts on neighboring communities. Project construction could have significant impacts, such as disruption of existing rail service and disruption of local businesses; these issues are not addressed in the EIR. Identification of proposed grade separations is necessary to fully disclose the potential impacts associated with each of the alignment alternatives, and to fairly compare the feasibility and environmental effects associated with each alternative. These impacts must be analyzed and the alternatives analysis updated for the CEQA document to be adequate. I128-8
- The document fails to adequately describe the location of the project, including the proposed right-of-way, station locations, and other infrastructure locations. The corresponding impacts are not analyzed and no mitigation is proposed. All of this information is necessary to enable the Authority to compare the relative feasibility and environmental effects of the proposed rail alignment and the various alternative alignments, and to make a fair and informed selection of the most feasible and environmentally preferred alignment. I128-9
- The document fails to adequately indicate the extent to which the project would require acquisition of private property through eminent domain. This issue applies to both the use of existing corridors where such corridors need to be widened, and the possible requirement for identifying a new corridor should UPRR block the shared use of its ROW. The document also does not identify whether eminent domain would include the taking of all or only a portion of any of the neighboring properties along the alignment. This information is necessary to evaluate the feasibility of the proposed project and to compare it with the various alternatives in the Program EIS/EIR. I128-10

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Comment Letter I128 - Continued

- The document does not define how eminent domain would be used to widen an existing corridor or to create a new corridor. For example, would the CHSRA only take the back yard of a residential property, or would CHSRA be forced to take the entire property even if only a portion of the property is required for the corridor? I128-11
- Section 2704.09 of Assembly Bill (AB) 3034 sets design characteristics and requirements for an HST system. These requirements include maximum limits on travel times, such as a maximum travel time from Oakland to Los Angeles of2 hours 40minutes, and a requirement that such travel be accommodated without the need to change trains at any point along the journey. The project description and subsequent EIR analysis is flawed because it does not address these requirements. The City of Oakland is not currently on the proposed HST alignment, and therefore travel to or from Oakland would involve a transfer onto another train or transit system, and would require more than 2 hours and 40 minutes of travel time. The project description and alternatives need to be revised in order to add Oakland to the system, either by coming north through Pacheco Pass and San Jose, or west through the Altamont Pass. I128-12
- The ridership forecasts in the analysis are flawed and grossly overestimate the ridership that the project would generate, particularly since the ridership forecasts were created during a different economic cycle. Realistic ridership numbers need to be used in the analysis to reflect both a robust and a poor economy. I128-13
- The document fails to include a full tabulation and explanation of project costs, including: methodologies for calculating costs, costs for each alternative and sub-alternative, costs for tunnels through developed urban areas, costs for maintenance activities, and costs for developing ridership. I128-14
- The document does not include a tabulation of expected funding sources for the project. I128-15
- The document does not adequately address construction costs, including the full economic costs of using eminent domain to either widen an existing corridor or to create a new corridor. I128-16
- The document needs to include a realistic and defensible business plan in order to answer the very basic question of whether the HST project is actually environmentally advantageous for California. I128-17
- The recently released California High Speed Rail Project Environmental EIR/EIS Preliminary Alternatives Analysis Report for the San Francisco to San Jose Section provides updated cost figures, making the cost figures used in the Revised Program EIR outdated. The numbers used in the Program EIRIEIS need to be updated to reflect current cost estimates. I128-18
- The Revised Program EIR identifies a Peninsula alignment and station locations, but fails to fully identify, analyze, and mitigate all Peninsula-related environmental impacts from that specific alignment and those specific station locations. A Program-level EIR that identifies specific project elements or project locations is required to provide a full analysis of the impacts associated with these elements and locations. I128-19
- The document fails to disclose or adequately analyze the project's potential land use, transportation, or public health and safety risks and impacts associated with the use of the shared Caltrain/UPRR ROW between San Francisco and San Jose, and the UPRR ROW from San Jose to Gilroy. Perhaps more importantly, the document fails to address the potential necessity of locating the project alignment away from either segment of this ROW, particularly in the San Jose to Gilroy segment where the UPRR owns and controls the corridor. The need for a new project alignment in these areas necessitates a revised analysis of project impacts and an expanded alternatives analysis that compares the new project alignment to the alternatives identified in the Program EIS/EIR. I128-20
- The impact analysis fails to address and incorporate the significance criteria established by each local jurisdiction affected by the project, and uses The analysis in the Revised Draft EIR glosses over local impacts and does not provide the detailed analysis required by CEQA. I128-21

3

- The Revised Program EIR fails to address a number of issues related to
- aesthetics, visual impacts, and the compatibility of the proposed new structures with the visual character of the surrounding area. Many of the proposed project elements (such as an elevated railway, overhead wires, sound walls, and transmission lines) would likely have a significant visual impact, and these impacts are neither fully addressed nor sufficiently mitigated. I128-22
- The document uses flawed assumptions in the impact analysis. For example, the document states that the HST will operate on 100 percent clean, zero-carbon emissions electricity. It may be impossible to operate on 100 percent clean, zero-carbon emissions electricity, both because there may be insufficient energy production infrastructure in the state to meet the electricity requirements of the HRST system, and because "clean energy" cannot be separated from other electricity. I128-23
- The document perpetuates a common error in only considering threatened and endangered species (T &E species). EIRs and EISs are not environmental compliance documents. They are environmental impact assessment documents. Yet there is no consideration of the potential for impacts to many non-T &E species, especially keystone species, particularly in terms of habitat loss and fragmentation. I128-24
- The document fails to adequately evaluate and mitigate impacts from the removal of trees and vegetation. For example, the collective groupings of mixed trees
- and vegetation along Alma Street provide a significant screening function, even though each tree or unit is not independently of great value and would not necessarily be a part of the City of Palo Alto's standard tree preservation measures. 'The project would result in the removal of such screening vegetation, which would result in adverse visual impacts to the surrounding community. I128-25
- The document fails to adequately address potential impacts and risks associated with the rail line crossing several active and potentially active fault zones. Potentially high risks are associated with all rail alternatives crossing active and potentially faults. These risks, for both construction and operations, are not fully addressed. Crossing the Calaveras Fault in a tunnel represents a particularly high risk that is not adequately described or mitigated by the Program EIS/EIR. Alternatives to a tunnel crossing should be considered. I128-26
- Comment C.8-2 - The document fails to adequately address impacts resulting from a major earthquake and associated strong ground motion. I128-27
- The southern alternative runs north through areas with potential effects from liquefaction. Foundations and supports for this alternative will require more unusually complex engineering solutions and unusually robust construction, resulting in greater traffic disruptions and increased air emissions. These factors are not addressed in the analysis. I128-28
- The document fails to address conflicts with existing underground toxic plumes in the soil and groundwater. The approach and methodology in the document is flawed as it only used databases listed in evaluating possible underground contamination. Additional information on underground contamination is available and needs to be incorporated into the analysis. I128-29
- Contamination along existing railroad ROWs is common. The analysis does not consider this typically occurring hazardous contamination, and the methods to mitigate the disturbance and disposal of contaminated materials. I128-30
- The document fails to address impacts of trenching or tunneling on groundwater during construction. I128-31
- The document fails to adequately address impacts of shallow groundwater on operations and maintenance. For example, the document states that, "Infiltration of ground and surface waters into tunnels is undesirable for operations and maintenance reasons and increases the potential for adverse impacts to ground and surface waters. All reasonable measures would be taken to avoid water infiltration:" These "reasonable measures" must be identified and discussed, and I128-32

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Comment Letter I128 - Continued

their feasibility and anticipated effectiveness must be disclosed. Without this information for each proposed alternative, it is impossible to adequately compare the potential impacts and benefits of the various alternatives. Potential secondary impacts (e.g., groundwater pumping for dewatering) should also be identified and evaluated for each alternative. I128-32 cont.

- The document fails to adequately address the impacts on project operations from potential flooding. The proposed alignment involves four creek crossings in Palo Alto, including Adobe Creek, Barron Creek, Matadero Creek, and San Francisquito Creek. All of these creeks have the potential to overtop their banks and flood in a major rain event. The document should address how the project would be affected by a flood event, and what effect the different project elements may have on diverting flood waters and altering the portions of the community that might be susceptible to flooding. I128-33
- The document does not discuss the project's potential to block or redirect flood water flows, or displace flood water and increase flood water elevation, and thus increase flooding risks to adjacent and upstream areas. I128-34
- The document fails to discuss the direct and indirect impacts of potential "sprawl" development as a result of the project, particularly near the locations of proposed stations such as the potential station in the City of Palo Alto. The document needs to address the development-inducing impacts of the HST project (such as high density housing being constructed near stations). I128-35
- The document fails to address impacts to the property values of residences and businesses due to aesthetics, noise, vibration, and circulation impacts from long-term construction activities and daily train operations. I128-36
- The document incorrectly states that the proposed project corridor would have a "high" compatibility rating in the selected corridor. A large portion of this corridor passes through residential neighborhoods. The document states that single-family residential homes have a "low" compatibility rating with HST systems, so the portions of the corridor that pass through residential neighborhoods should have a "low" rating as well. I128-37
- The document fails to consider that elevating the railway and erecting 45 miles of sound walls would create a physical barrier that divides a community. The existing Caltrain/UPRR ROW does not divide communities to the same degree that an elevated HST system would. I128-38
- Neither the Program EIS/EIR nor the Revised Program EISIEIR adequately considers or addresses the potential for increased blight in areas surrounding the rail line. The cumulative effects of displacing residents and commercial uses to acquire ROW, degradation of the environment near the ROW due to noise, vibration, air quality and other impacts, and decreases in property values accompanied by residential and commercial flight from the areas near the ROW, increase the likelihood that the areas surrounding the ROW will become increasingly blighted. Blighted areas impose greater direct and indirect costs on local jurisdictions relating to maintenance and services, and depress revenues to such jurisdictions due to reduced property values. The document does not identify or attempt to address these direct and indirect environmental effects. I128-39
- The document fails to adequately address construction impacts on Palo Alto High School. Construction activities will likely involve temporary closures of Churchill, Embarcadero, and Alma, all of which provide access to the high school. I128-40
- The document fails to adequately address the significance of noise and vibration impacts during both construction and operation, and fails to adequately mitigate these impacts. Specifically, the document fails to address vibration impacts on nearby buildings, including both typical structures and historic structures, which may be more susceptible to vibration impacts. I128-41

- Comment C.13-5 The document fails to adequately explain how the proposed mitigation measures would address noise and vibration impacts and reduce these impacts to a less than significant level.
- The document fails to quantify the potential noise reduction provided by sound walls, particularly given the presence of two-story residences and the possibility of an elevated railway. Without an idea of how much sound attenuation and reduction can be achieved through the use of sound walls, there is no way to conclude that such walls have the potential to reduce noise impacts to a less than significant level. I128-42
- Even though the original Draft Program EIS/EIR specifically found that the proposed mitigation for vibration impacts was not sufficient to ensure that these impacts would be adequately mitigated, the Revised Draft Program EIS/EIR does not identify or propose any additional mitigation measures. To comply with both CEQA and the court's order, the Revised Draft Program EISIEIR must expand the mitigation measures to address vibration impacts to adequately mitigate these impacts.
- The document fails to include sufficient information on the environmentally superior alternative, thereby depriving the public of an opportunity to comment on the methodology used to identify that alternative. I128-43
- The second Program EIR/EIS fails to analyze all alternatives at an equal level of analysis as required by NEP A. I128-44
- The alternatives analysis is inaccurate, incomplete, and biased, and consequently inadequate.
- The Program EIR inappropriately dismisses alignments between San Francisco and San Jose other than the Caltrain corridor with only a cursory analysis, and this dismissal improperly precluded any reasonable consideration of potentially viable alignment alternatives for the San Francisco to San Jose segment of the project. Most if not all of the other segments of the HST system involve consideration of more than one alignment. In order to satisfy minimum state and federal requirements for consideration of a reasonable range of alternatives, the Authority must consider more than one corridor for the segment from San Francisco to San Jose. I128-45
- The document provides a "low" or "medium" impact rating for segments that pass alongside residential development, when that rating should be higher. A proper weighting of the relative impacts of the various alignment alternatives would provide a more accurate assessment of which alignments are environmentally superior. I128-46
- The document does not adequately consider and compare the “Do Nothing” alternative. The Project does not appear viable, and “Do Nothing” may be in the best interest of the People of California. I128-47

Thank you for addressing my comments.

Steve Broadbent
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(650) 521-3958
sbroadbent@comcast.net

Response to Letter I128 (Steve Broadbent, April 26, 2010)

I128-1

The Authority disagrees that the Peninsula cities did not have the ability to participate in the environmental process. The 2010 Revised Draft Program EIR Material addresses those topics identified in the final judgment for the Town of Atherton litigation as requiring corrective work under CEQA. Outreach was not one of those topics. Please see Chapter 10, Public and Agency Involvement, in the 2008 Final Program EIR. The scoping activities for the Bay Area to Central Valley HST Draft Program EIR/EIS were conducted between November 15 and December 16, 2005 and included meetings in San Jose, San Francisco and four other cities. The Authority held a total of eight public hearings, including in San Jose and San Francisco to present the Draft Program EIR/EIS and to receive public comments between August 23, 2007 and September 26, 2007.

The Authority has endeavored to provide the broadest possible notice of the 2010 Revised Draft Program EIR Material. Notification was provided in 8 newspapers including the San Francisco Examiner and San Jose Mercury News. A Notice of Availability and Notice of a Public Meeting postcard was further distributed to over 50,000 individuals identified as part of on-going project-level engineering and environmental studies. The Revised Draft Program EIR Material and a Notice of Availability and of a Public Meetings was also made available to 16 libraries for public viewing. Two public meetings were held on April 7, 2010 in San Jose on the Revised Draft Program EIR. Both of these meetings did not end until everyone had the ability to speak. If the Authority proceeds with a network alternative that involves Palo Alto at the project level, the Authority will continue its efforts at public outreach in the area.

I128-2

We disagree that recirculation of the entire prior 2008 Final Program EIR is required based on this general comment that significant new information exists "under many environmental parameters" that makes the earlier 2008 Final Program EIR invalid and requires recirculation of that document.

I128-3

We disagree with the comment. The ridership and revenue model provides an appropriate tool for the environmental analysis for which it has been used. Information about subsequent ridership in the 2009 Business Plan, which was prepared for a different purpose, does not render the 2007 forecasts invalid. See Standard Response 4, explaining the differences in the ridership forecats for environmental review versus business planning purposes. We also note that economic shifts over the last number of years do not result in a need to revise the ridership forecasts prepared in 2007 because long-range forecasts use adopted projections of employment and population from the Department of Finance and regional governments across the general business cycle and are not designed to be limited to particular types of business conditions. We note that the important factor is consistently applying future population and employment assumptions across alternative scenarios, and this was done.

I128-4

Comment acknowledged. We do not believe that UPRR's position renders the alternatives evaluated in the Program EIR infeasible. See Standard Response 8. Please note that the Authority did evaluate HST alternatives near State Route 84 and I-580 which were withdrawn from further consideration as summarized below.

SR-84/South of Livermore Alignment Alternative: This alignment alternative was eliminated from further investigation because it would have high potential impacts to the natural environment and to agricultural lands. This alignment alternative would cut through agricultural areas and undeveloped conservation easements, increasing habitat fragmentation. The SR-84/South of Livermore alignment alternative would have greater potential impacts to high value aquatic resources and threatened and endangered species than other alignment alternatives through the Tri-Valley (Livermore, Pleasanton, and Dublin) area.

SR-84/I-580/UPRR Alignment Alternative: This alignment alternative was eliminated from further investigation because it would have high potential impacts to the natural environment and agricultural lands. This alignment alternative would have the same issues as presented for the SR-84/South of Livermore alignment alternative (see above).

I128-5

The Authority disagrees that limiting the scope of comments to the Revised Draft Program EIR Material is inappropriate. The Authority requested that members of the public focus their comments on the new information and analysis contained in the Revised Draft EIR Material and stated that the Authority's legal obligation extended to responding only to those comments related to the new materials. The Authority's request is based on CEQA Guidelines section 15088.5, applicable to situations like the current one where a lead agency must revise and recirculate only a portion of a prior Final EIR. The current EIR process is specifically intended to comply with the judgment from the Town of Atherton litigation and that judgment found that only those issues in the revised materials required further CEQA compliance.

I128-6

Comment noted. The May 2008 Final Program EIR provided a full discussion of the no project alternative. The 2010 Revised Draft Program EIR Material follows the prior 2005 Statewide Program EIR for the Statewide High-Speed Train System, the focus of which was to evaluate and compare the "do nothing" or no project alternative to a high-speed train alternative. Based on the information in both documents, the option of "do nothing" was determined to have greater environmental impacts overall.

I128-7

Please see Responses to Comments L003-20, L003-21, L003-47, L003-48 and L003-49.

I128-8

Please see Response to Comment L002-21.

I128-9

Alignment are described in Chapter 2 of the 2008 Final Program EIR, with plan and profile sheets in Appendix 2-D, cross sections in Appendix 2-E, and station fact sheets in Appendix 2-F. Conceptual designs are based on Engineering Criteria (California High-Speed Rail Authority and Federal Railroad Administration 2004). Maps illustrating the horizontal alignment and profile type (aerial, at grade, or tunnel) are shown in Figure 2.5-3 of the 2008 Final Program EIR. Clarification regarding alignments is provided in Chapter 2 of the 2010 Revised Draft Program EIR Material, including revised cross sections. This information was developed to enable an evaluation and comparison of multiple alignments and network alternative for Bay Area to Central Valley. See Standard Response 3.

I128-10

See Standard Response 7.

I128-11

See Standard Response 7.

I128-12

The 2008 Final Program EIR did evaluate network alternatives that include provision of service to Oakland. These include:

Altamont Pass: Oakland and San Jose Termini

Altamont Pass: San Francisco, Oakland, and San Jose Termini

Altamont Pass: Oakland Terminus

Altamont Pass: San Francisco, San Jose, and Oakland – with No San Francisco Bay Crossing

Altamont Pass: Oakland and San Francisco – via Transbay Tube

Altamont Pass: San Jose, Oakland, and San Francisco – via Transbay Tube

Pacheco Pass: Oakland and San Jose Termini

Pacheco Pass: San Francisco, Oakland, and San Jose Termini

Pacheco Pass: San Jose, San Francisco, and Oakland – via Transbay Tube

Pacheco Pass: San Jose, Oakland, and San Francisco– via Transbay Tube

Pacheco Pass with Altamont (Local Service): Oakland and San Jose Termini

Pacheco Pass with Altamont Pass (Local Service): SF, Oak, and SJ Termini (without Dumbarton Bridge)

The Authority will make a new decision on a network alternative to carry into the project level environmental document. The Authority is aware of the travel time requirements contained in Proposition 1A.

I128-13

We disagree that the ridership forecasts in the Program EIR are overstated. See Response to Comment I128-3 and Standard Response 4.

I128-14

See Response to Comment I011-13.

I128-15

Please see Response to Comment L003-38.

I128-16

See Response to Comment I011-13.

I128-17

The California Environmental Quality Act does not require that a business plan be included in the EIR. The CEQA Guidelines indicate, however, that economic information can be included in an EIR, or in the record in any form the lead agency chooses. The Authority has prepared annual business plans in 2008 and 2009 (with a 2010 addendum) and will have that information available when it makes a new decision based on the Bay Area to Central Valley Revised Final Program EIR. See also Standard Response 4.

I128-18

See Response to Comment I011-13.

I128-19

The Authority disagrees that impacts and mitigation measures were not properly investigated. The current Revised Draft Program EIR Material is part of a first-tier, programmatic environmental review process examining the impacts of 21 network alternatives at a broad level of detail. See Standard Response 2 regarding the tiered planning and environmental process.

I128-20

The Authority disagrees that there is a need for a new project alignment and that the analysis needs to be revised. Transportation and land use are adequately addressed for the San Francisco to San Jose segment in Chapters 3.1 and 3.7, respectively, in the 2008 Final Program EIR. The 2010 Revised Draft Program EIR Material addresses those topics identified in the final judgment for the Town of Atherton litigation as requiring corrective work under CEQA. See Chapter 2 in the 2010 Revised Draft Program EIR Material for a discussion of land use and transportation for the San Jose to Gilroy segment. Safety is discussed in Chapter 2 of the 2008 Final Program EIR. See Standard Response 2 regarding the tiered planning and environmental process.

I128-21

CEQA allows the lead agency to establish the significance criteria by which the project impacts are judged. Using consistent criteria throughout the project allows for a true comparison of potential impacts between alternatives. If criteria were varied jurisdiction-by-jurisdiction, a true comparison of alternatives would not be possible. See also Standard Comment 3 regarding the level of detail for impacts analysis and mitigation in the program EIR.

I128-22

The specific mitigation for specific visual impacts, including soundwalls and power transmission lines, cannot be determined at

the Program level. Mitigation for noise impacts must be designed around the characteristics of the proposed trainsets and then conducted against established regulatory guidelines. These issues will be undertaken as part of the project-level analysis and will be used to determine the extent of soundwalls as a noise mitigation tool. This could result in designs for the materials of the soundwalls, locations along the railway where they would be constructed, and an appropriate height.

Types and routes of transmission lines to supply electricity to the HST depend on detailed engineering to determine where the line would interface with the existing power grid and where the feeder lines will connect to the railway. Again, this is addressed at the project level when sufficient design has been completed and then appropriate mitigations will be described.

The infrastructure for overhead electrification would be visible, but its visibility would be low. Consider that San Francisco's Union Square is bounded on two sides by overhead wires to power the City's electric buses. These wires and their poles, over busy city streets, are not highly visible at all and do not comprise part of one's visual memory of Union Square.

I128-23

See Response to Comment L003-61.

I128-24

The Revised Draft Program EIR Material addresses those topics identified in the final judgment for the Town of Atherton litigation as requiring corrective work under CEQA. Biological resources was not one of those topics. Refer to Chapter 3.15 of the 2008 Final Program EIR. The biological analysis was based on the thresholds and criteria set in CEQA Appendix G. Impacts on nonsensitive species and habitats were not considered a criterion to base decisions of identifying a preferred alternative. Methods of impact evaluation for the project were developed with input from both state and federal resource agencies. Additional detailed information regarding potentially affected species will be provided in the subsequent project-level environmental evaluation and documentation. This information will include species descriptions, distribution, seasonal activity, range, reproduction, habitat characteristics, population status, threats, conservation status, and a detailed evaluation of effects of the project and proposed mitigation.

I128-25

The 2008 Final Program EIR assumed that Caltrain and HST would remain within the existing right-of-way at most locations, meaning that trees outside the right-of-way would not be removed, although some trimming could be required for vegetation intruding on the right-of-way. If there is a need to acquire adjacent properties for locations where the current Caltrain right-of-way is not wide enough to accommodate the addition of HST, replacement landscaping could likely be established outside the area required for rail operations. This landscaping could replace that removed for the project. In locations where existing trees exist on the Caltrain right-of-way, design and engineering undertaken as part of the project-level EIR/EIS will determine if they are located where they cause no interference with the future rail operations.

I128-26

Please see Response to Comment L003–85.

I128-27

Please see Response to Comment L003–85.

I128-28

Please see Response to Comment L003–87. Design and construction of foundations to mitigate the potential effects of liquefaction is not considered to require unusually complex solutions. Mitigating for liquefaction is common and would not result in meaningful additional potential impacts at the level of this program EIR. Further evaluation on this issue will occur during the project-level environmental process.

I128-29

See Response to Comment L003-92.

I128-30

The Revised Draft Program EIR Material addresses those topics identified in the final judgment for the Town of Atherton litigation as requiring corrective work under CEQA. Hazardous materials and wastes was not one of those topics. Please see Chapter 3.11 of the May 2008 Final Program EIR. More detailed information and analysis on potential hazardous materials/waste impacts and mitigation measures including those related to arsenic and naturally occurring asbestos will be included in project-level environmental documents.

As part of the project-level environmental documents, a subsequent hazardous materials/waste analysis consisting of an environmental site assessment will be conducted to further analyze identified hazardous materials/waste sites and to further analyze and document the potential impacts related to the proposed project. This analysis will be prepared in conformance with the ASTM guidelines for preparing an environmental site assessment (E1527-05). Based on the information presented in the project-level environmental site assessment, a determination will be made regarding any sites that will need to have a Phase II environmental site assessment performed. This recommendation for a Phase II assessment, along with the implementation of any recommendations made in the document prepared in conjunction with the Phase II assessment, would be identified as a mitigation measure for addressing the potential contamination sites along the identified alignment that require further investigation regarding hazardous materials/waste. The assessment document would specify that the Phase II environmental assessment must be prepared in conformance with the ASTM Standards Related to the Phase II Environmental Site Assessment Process (E1903-01).

A mitigation strategy identified in the 2008 Final Program EIR was the preparation of a Site Management Program/ Contingency Plan prior to construction to address known and potential hazardous material issues, including: measures to address management of contaminated soil and groundwater; a site-specific Health and Safety Plan (HASP), including measures to protect construction workers and general public; and procedures to protect workers and the general public in the event that unknown contamination or buried hazards are encountered.

I128-31

The 2010 Revised Draft Program EIR Material addresses those topics identified in the final judgment for the Town of Atherton litigation as requiring corrective work under CEQA. Hydrology and water resources was not one of those topics. Please see Chapter 3.14 of the 2008 Final Program EIR. Potential impacts from tunneling on groundwater as well as mitigation strategies was discussed in this chapter. More detailed analyses related to groundwater impacts will be performed during the project-level EIR/EIS analysis when more detailed design and location information will be available.

I128-32

See the 2008 Final Program EIR, Chapter 3.14, Hydrology and Water Resources, Sections 3.14.4 and 3.14.5 regarding Authority design practices and mitigation strategies for groundwater. As a design practice, geologic/soils/groundwater conditions would be evaluated prior to and monitored during construction to aid in the development of construction techniques and measures to minimize effects to ground- and surface water resources during operation. Based on available geologic information and previous tunneling projects in proximity to proposed tunnels, the Authority plans to fully line tunnels with impermeable material to prevent infiltration of ground- or surface waters. Mitigation to reduce potential impacts from construction and operation of project components on groundwater discharge or recharge are discussed in Chapter 3.14.5 and would be further refined as part of project-level environmental analyses. More detailed analyses related to groundwater impacts will be performed during the project-level EIR/EIS analysis when more detailed design and location information will be available.

I128-33

See the 2008 Final Program EIR, Chapter 3.14, Hydrology and Water Resources. Indirect impacts may include such downstream effects as sedimentation, turbidity, impacts to water-dependent species, changes in flow-rate, erosion due to run-off, and ponding due to

changes in flood flows. These impacts typically occur outside of the project footprint. Without project-level detail, it is difficult to identify specific locations for indirect impacts. The HST would be designed and constructed to minimize additional impacts on the floodplain by constructing culverts under the track to convey anticipated storm flows and to minimize ponding and flooding. In some locations, the trackway would be constructed on elevated structure to allow passage of storm flows. More detailed analyses related to floodplain and flood risk impacts will be performed during the project-level EIR/EIS analysis when more detailed design and location information will be available.

I128-34

See Response to Comment I218-33.

I128-35

The issue of growth inducement or sprawl is not one of the areas identified by the court in the Town of Atherton final judgment as requiring further work to comply with CEQA. Economic growth and growth-related impacts was discussed in the May 2008 Final Program EIR in Chapter 5. Station Area Developmetn was discussed in Chapter 6. The document explains that station areas are intended to provide for denser development patterns and reduce rather than create sprawl.

I128-36

See Standard Response 6 regarding property values.

I128-37

The 2008 Final Program EIR/EIS states that the proposed San Francisco to San Jose: Caltrain corridor would have a "high" compatibility rating because it would be primarily within an active commuter and freight rail corridor. In addition, construction of grade separations where none previously existed would improve circulation between neighborhood areas. The Authority Board committed in July 2008 to investigate profile alternatives to avoid and minimize potential impacts, including trench, tunnel, aerial, and at-grade between San Francisco and San Jose. Although the Authority has rescinded it's July 2008 program decision, the commitment to examine profile alternatives has been carried forward into the project level alternatives screening.

I128-38

The Authority has received a number of comments expressing concern over the impacts of the HST being placed an elevated structure. The Authority is evaluating multiple profile alternatives at the project level including at-grade and below grade alternatives (trench and tunnel) in addition to an aerial profile. As noted in Chapter 3.7, Land Use, in the 2008 Final Program EIR, the San Francisco to San Jose corridor would be primarily within an existing active commuter and freight rail corridor and therefore would not constitute any new physical or psychological barriers that would divide, disrupt, or isolate neighborhoods, individuals, or community focal points in the corridor. In addition, construction of grade separations where none previously existing would improve circulation between neighborhood areas.

I128-39

Procedures for maintaining the HST's infrastructure would be detailed in the project-level EIR/EIS. Potential deterrents to perceived signs of blight such as graffiti could include introducing vines to the concrete surfaces of columns and walls, dense landscaping to obscure columns and walls, or maintenance agreements to ensure the timely removal of any potential graffiti. Where parcels are purchased to accommodate the HST project, the un-used remainder of the parcel could be resold for redevelopment or landscaped as a public amenity.

I128-40

See Response to Comment 1052-5 regarding construction.

I128-41

More detailed information and analysis of nosie and vibration impacts and mitigation will be included in project-level EIR/EISs. The

project-level vibration analysis will consider impacts to both typical structures and to structures that may be more susceptible to vibration. Appropriate mitigation, if necessary, can be incorporated into the project design to buffer vibration at the source. See Standard Responses 3 and 5.

I128-42

See Response to Comment I128-41.

I128-43

The comment is not correct. Chapter 7 of the 2010 Revised Draft Program EIR Material reiterates the conclusion from Chapter 8 of the 2008 Final Program EIR, which identified the Pacheco Pass Network Alternative serving San Francisco via San Jose as the environmentally superior alternative. The basis for this conclusion is discussed in Chapter 7.

I128-44

We disagree with this comment. The Authority has prepared the Revised Draft Program EIR to comply with the requirements of CEQA, not NEPA, however, the alternatives analysis has been prepared to provide an equivalent level of discussion of alternatives.

I128-45

The Authority disagrees with the commenter's statement. See Standard Response 10 regarding route alternatives.

I128-46

Impacts of the HST system for the San Francisco to San Jose corridor were evaluated at the program level in Chapter 3.9 of the May 2008 Final Program EIR. As noted in the Final Program EIR, in most locations the addition of two tracks within the Caltrain right-of-way would result in a low or medium impacts. This was an appropriate finding at the program level. As part of the follow-on preliminary engineering and project-level EIR/EIS effort, site-specific analysis of impacts will be undertaken.

I128-47

We disagree with this comment. The Authority has evaluated a no project/no action alternative. The descritpion is contained in Chapter 2 of the 2008 Final Program EIR. The environmental consequences are contained in Chapter 3 of the 2008 Final Program EIR.

Comment Letter I129 (Susan Bell, April 27, 2010)

I129

Kris Livingston

From: Susan Bell [groagbel@stanford.edu]
Sent: Tuesday, April 27, 2010 4:39 PM
To: HSR Comments
Subject: Fwd: Bay Area to Central Valley revised program

Date: Tue, 27 Apr 2010 15:43:53 -0700
To: comments@hsr.ca.gov
From: Susan Bell <groagbel@stanford.edu>
Subject: Bay Area ti Cebtral Valley revised program
Cc: plandiv.info@cityofpaloalto.org

Dear Mr. Leavitt,

The High speed train between San Francisco - Los Angeles should be shortened to run only between San Jose and Los Angeles. It is financially irresponsible to build this train for the segment from San Francisco to San Jose. We have a good fast train on this line three times an hour (each way) which could be increased if necessary.

Some of the 9 million dollars reserved for this train should be used to improve the Caltrain (San Francisco-San Jose) by increasing the number of "Baby Bullet" trains between this segment.

I129-1

The esthetic impact of building an elevated rail above the Palo Alto level crossings will totally destroy my and many other residents' views of the Palo Alto landscape and the Western Hills.

I have a great deal of experience of high speed trains in France, Belgium and Italy including the Eurostar from London to Paris and Brussels. In these countries it is simple to take a regular (non high speed train) to certain junctions where passengers may then access the high speed trains. This could be done between San Francisco (Caltrain) and San Jose new proposed High Speed train.

Sincerely,
Susan Bell

Susan Groag Bell
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1

Response to Letter I129 (Susan Bell, April 27, 2010)

I129-1

The commenter states that the HST should consider terminate in San Jose. The Authority notes that the Draft and Final Program EIRs did evaluate alternatives that would terminate in San Jose and not travel up the Peninsula on the Caltrain Corridor. These alternatives included Altamont Pass Network Alternative with Oakland and San Jose Termini; Altamont Pass with San Jose Terminus; Altamont Pass with San Jose, Oakland and San Francisco via Transbay Tube; Pacheco Pass with Oakland San Jose Termini; Pacheco Pass with San Jose Terminus; Pacheco Pass with San Jose, Oakland, and San Francisco via Transbay Tube; Pacheco Pass with Altamont Pass (local service) with Oakland and San Jose Termini; and Pacheco Pass with Altamont pass (local service) with San Jose Terminus.

The Authority will make a new decision on a network alternative to carry into the project level environmental document. The alternatives that avoid the Caltrain corridor are not the staff recommended network alternative, but will be considered by the Authority as part of the new decision. Public comments supporting terminating HST service in San Jose will be part of the record that the Board considers.

Comment Letter I130 (Faith W. Brigel, April 23, 2010)

I130

Kris Livingston

From: Faith Brigel [faithwb2@sbcglobal.net]
Sent: Sunday, April 25, 2010 4:35 PM
To: HSR Comments; citycouncil@cityofpaloalto.org
Cc: faithwb2@sbcglobal.net
Subject: Bay Area to Central Valley Revised Draft Program EIR Material Comments

Faith W. Brigel
518 Byron Street
Palo Alto, California 94301.

April 23, 2010

Dan Leavitt (Sent by Email: comments@hsr.ca.gov)
California High-Speed Rail Authority
925 L Street, Suite 1425
Sacramento, CA 95814

RE: Comments on Bay Area to Central Valley High Speed Rail Train Revised Draft Program EIR

Dear Mr. Leavitt and the High Speed Rail Authority:

This letter is to comment on the Draft Program Level Environmental Impact Report (EIR) prepared on the Authority's proposed routing of the system in the San Francisco Bay Area.
I live and work as a Licensed Clinical Social Worker in Palo Alto. I have been following the process of the HSR since 2008. I130-1
The Authority's proposed project design and the routing of the proposed High Speed Train along the Caltrain alignment would cause major and extremely significant impacts to me, my family, my community, and the natural environment.
I will outline those impacts that are of concern, and that I know will occur, unless an alternative route is chosen, or unless the project is modified in significant ways.
I will cite the chapters:

Chapter 3
3.2.2. (page 3-3) Here it describes the need for **acquisition of property** due to having no access to Union Pacific Rights-of-Way.
1- In the revised EIR draft they state that there will be a need for limited property acquisition and so the ranking is going from initially low, to medium and low. Property acquisition, or eminent domain as it is called, will disturb all of those families whose property is taken entirely, or partially. To them it will be a high degree of impact. (My properties are not in danger, but I have concerns for those that are.) The quality of their lives will be disrupted, in that they will have to move out of their houses when most will not want to move. They may like their houses, neighbors and community. Also, they might not be able to afford to purchase another house in Palo Alto. I130-2
If their houses are **purchased by the HSR**, how will the HSR determine their worth? If these families decide to sell their property prior to being acquired by the HSRA, they will be repaid a fraction of their property value after HSR. These property owners and real estate agents legally have to disclose the coming of this train. These properties and I do not know how far from the tracks this effect goes; are already worth less financially.
For those who are close to the tracks but **not acquired**, staying in their houses will mean an increased amount of noise. The exact amount of noise is not yet known to them. Even if told there will be an increase of approximately .20 decibels, the average person does not know how this increase will affect them and their family until it is too late. Whether it is elevated or tunneled there will be more noise and more vibrations. I130-3

During the construction phase which will take several years, there will be noise, dust, and the inconvenience of their traffic pattern being disturbed by construction trucks and workers. I130-4

Once the HSR is **operating**, if this project is **completed**, there will be a permanent pattern of increased noise of the additional trains and a larger increase in noise when two trains pass each other. The sound of the steel wheels moving along the steel rails will generate more noise. Obviously, with more trains running per day, residents will experience a higher volume of noise. I130-5
If the HSR is started, but **not completed**, the incomplete rail will also negatively impact our communities. The HSRA is now quoting a higher cost than was estimated in the information given out at the time of the 2008 vote. The $2.25 billion that might be given by the Federal government will only cover a small percentage of what is needed for construction of the HSR. According to Proposition 1A, all of the funds were to be available prior to starting the HSR. Yet all of the funds are not available, and so if it the construction is started I am concerned that there will not be sufficient funds to complete the project. I130-6
The ranking of such impact as eminent domain is subjective. For the families needing to move it is high. For an engineer or consultant researching this impact, it may be considered low and medium. I130-7

The exact effects in detail of constructing this rail on the Caltrain corridor that does not have sufficient space for the Union Pacific and the HSR needs further study by the HSRA. I130-8
My preference is to not build the HSR. I suggest reconsidering using the Altamont Pass where there are fewer congested communities. Looking at the net worth of the HSR, in the long run it would be less expensive and less disruptive to either not build it, or build it on the Altamont Pass. I130-9

Chapter 7:
7.3.5. Preferred HST Network Alternative (page 7-20)
2-It states that the Pacheco Pass minimizes the impacts in the wetlands, water bodies and the environment. I recommend evaluating the **plumes**, and the **aquifers** in the area of Palo Alto that would be disturbed by digging either for tunneling or for supporting beams to hold any kind of elevated structure. I130-10
3-There are also a number of buildings that will be impacted by the presence of a HSR.
The **Etz Chayim Congregation** which is at 4161 Alma Street is right across the street from the Caltrain corridor. There they give classes and conduct prayer sessions. Frequent HSR trains would cause unmitigated noise. I130-11
El Carmelo Elementary School that is between Ramona and Bryant Streets only two streets from the Caltrain corridor. More daily trains will lessen the quality of students' learning, and make teaching difficult. I130-12
The Palo Alto Medical Foundation is very close to the Caltrain corridor. I recommend evaluating the environmental impact to this medical institute. I130-13
The Palo Alto High School (Paly) is yards away from the Caltrain corridor. There will be significant negative impacts to this school. As a member of the School Site Council, one teacher explained that when the trains go by she stops teaching. With the addition of the HSR there will be many teachers remaining silent as the trains roll by. The negative impact on this high school needs to be evaluated. I130-14
A pedestrian/bike underground pass was built only a few years ago at Homer and Alma Streets to connect the downtown area with the Palo Alto Medical Foundation. This structure cost the city of Palo Alto several million. With the HSR this underpass will be destroyed. It is important to evaluate the need to tear down a pass that was just recently built with taxpayers' money. I130-15
4-Amongst the names of those who expressed concern for the Altamont Pass route was the name of **Congressman Tom Lantos**. Congressman Tom Lantos died in 2008. It would show integrity for himself and his family to remove his name from your list, as he can no longer say whether his opinion remains the same. It also shows a lack of confidentiality to publish this list. I wonder if all of these people gave the HSRA permission to publish their names. If they did not, these names should not be included. I130-16

Comment Letter I130 - Continued

Chapter 8:
Key Environmental Issues (page 8-2)
Visual Quality
This section discusses the unavoidable adverse environmental impacts from San Jose to Gilroy. I could not locate the impacts from San Francisco to San Jose. I will add concerns that I have for the visual impact that the HST will have on streets in Palo Alto. I130-17

5-What is not included and is a concern is that the whole structure unless tunneled, or not built will have a negative impact on the community. The streets in Palo Alto running perpendicular to the Caltrain corridor on the east side of the tracks facing the west have a beautiful view of the hills in the background. The train if elevated will block this view. (The obstruction of this view will personally affect me.)
My solution would be to not run the tracks on an elevated structure, tunnel the tracks through Palo Alto and other communities, build it on the Altamont Pass, or better yet don't build it at all. I130-18

The law requires the Authority to do a much better investigation and documentation of the impacts I have described above – and not only in my neighborhood, but in all similar neighborhoods along the alignment you are proposing. Further, the law requires you to identify ways to eliminate or to mitigate these impacts to the greatest degree feasible. You should redesign the project to include measures to achieve that legal requirement, or choose a different alignment or project alternative that will have that effect.
A precedent has been set whereby voters have voted a project in, and the legislation has deemed it a bad decision and that project has not been built. I recommend that that happen here. I130-19

I request you to revise the Draft EIR you have prepared, to address my concerns and that you then recirculate such a Revised Draft EIR for further review and comment by the public. Thank you for taking my comments and concerns into account, as the California Environmental Quality Act requires.

Regards,

Faith W. Brigel

3

Response to Letter I130 (Faith W. Brigel, April 23, 2010)

I130-1

Comment acknowledged. The May 2008 Final Program EIR identified impacts along the Caltrain corridor and identified mitigation strategies to address the impacts. The current Revised Draft Program EIR Material discloses a higher level of land use impacts than previously anticipated. The Authority will consider adopting mitigation strategies to address significant impacts on the natural environment, communities, and neighborhoods when it makes a new decision.

I130-2

See Standard Response 7 regarding Eminent Domain.

I130-3

See Standard Response 3.

More detailed information and analysis of nosie and vibration impacts and mitigation will be included in project-level EIR/EISs.

I130-4

See Response to Comment 1052-5 regarding construction.

I130-5

See Response to Comment I130-3. The noise analysis at the project-level will include the cumulative impacts of existing noise sources (such as Caltrain) and proposed noise sources.

I130-6

Comment acknowledged. For more information on the funding plan, please see the Authority's Business Plan.

I130-7

The commenter states that ranking of eminent domain is subjective. Eminent domain is not an impact, but rather a method used for acquiring land for a public use. It appears the commenter means that they believe that the ranking of land use impacts as low or medium is inappropriate. Impacts of the HST system for the San Francisco to San Jose corridor were evaluated at the program level in Chapter 3.9 of the May 2008 Final Program EIR. As noted in the Final Program EIR, in most locations the addition of two tracks within the Caltrain right-of-way would result in a low or medium impacts because there is low to medium potential that land would need to be acquired in these areas. As part of the follow-on preliminary engineering and project-level EIR/EIS effort, site-specific analysis of impacts will be undertaken to determine which properties would need to be acquired. Also see Standard Response 7.

I130-8

Please see Response to Comment L003-105 and Standard Response 2 regarding the tiered EIR process.

I130-9

See Response to Comment L020-36.

I130-10

More detailed information and analysis on groundwater, acquifers, and underground toxic plume impacts and mitigation measures will be included in project-level environmental documents. See Response to Comment L003-92.

I130-11

The commenter has expressed concern about noise impacts as a specific religious facility. As part of the follow-on preliminary engineering and project-level EIR/EIS effort, site-specific analysis of noise impacts will be undertaken to determine which properties would be significantly affected and to identify mitigation, if necessary. Also see Standard Response 5.

I130-12

See Standard Response 5. Site specific noise/vibration, construction, and train operational impacts on sensitive receptors such as schools, will be part of subsequent project-level environmental documents. The Authority will consider the comment as part of the project-level EIR/EIS processes.

I130-13

The commenter has expressed concern about impacts as a specific medical facility. As part of the follow-on preliminary engineering and project-level EIR/EIS effort, site-specific analysis of impacts will be undertaken to determine which properties would be significantly affected and to identify mitigation, if necessary.

I130-14

See Standard Response 5. Site specific noise/vibration, construction, and train operational impacts on sensitive receptors such as schools, will be part of subsequent project-level environmental documents. The Authority will consider the comment as part of the project-level EIR/EIS processes.

I130-15

The commenter has expressed concern about impacts as a specific pedestrian facility As part of the follow-on preliminary engineering and project-level EIR/EIS effort, site-specific analysis of impacts will be undertaken to determine which facilities would be significantly affected and to identify mitigation, if necessary.

I130-16

Comment acknowledged. The text of the 2010 Revised Final Program EIR Material has been revised to clarify that the information in section 7.3.2 as to the timing of prior expressions of support and opposition to particular network alternatives.

I130-17

Impacts of the HST system for the San Francisco to San Jose corridor were evaluated at the program level in Chapter 3.9 of the May 2008 Final Program EIR.

I130-18

The 2008 Final Program EIR depicts HST running in a combination of at-grade and retained fill through Palo Alto. This is shown in Appendix 2D, Sheet CC 4 of 6. The height of the fill varies from 7 to 15 feet. This is well within the range of the height of typical homes in Palo Alto. Looking along streets perpendicular to Alma Street, much of the existing view of the hills is obscured by the mature trees arching over the streets and the landscaping along Alma Street. The HST project would not alter the trees along perpendicular side streets, and could replace existing landscaping along Alma Street with either a potential soundwall of undetermined height or a retaining wall within the heights shown above. In either case, the wall could likely be planted with vines and/or obscured by new landscaping. The view to the hills from parallel streets that cross the railway corridor would be partially obscured as one approaches the grade separation, but the extent of this cannot be determined until the project-level analysis, where specific designs will be created for each crossing.

I130-19

Comment acknowledged. The Authority is aware of its obligations to avoid and mitigate impacts and we believe this Revised Final Program EIR complies with CEQA. The selection of the network alternative to connect the San Francisco Bay Area to the Central Valley will be made the Authority board and the board will consider all the alternatives discussed in the Program EIR.

Comment Letter I131 (Robert A. Biorn, April 26, 2010)

I131

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A PROFESSIONAL CORPORATION
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PAUL H. ROSKOPH, OF COUNSEL
TRUST AND ESTATE COUNSELLORS
PLANNING • ADMINISTRATION • LITIGATION
SINCE 1927

Robert A. Biorn
Direct Dial: (650) 321-5001
Email: rab@cbsrlaw.com

April 26, 2010

Dan Leavitt
California High-Speed Rail Authority
(Via Facsimile @ 916-322-0827)

Re: Comments on Bay Area to Central Valley Revised Draft Program EIR

Dear Mr. Leavitt and the High-Speed Rail Authority:

This letter is to comment on the Draft Program Level Environmental Impact Report (EIR) prepared with respect to the Authority's proposed routing of the system in the San Francisco Bay Area.

I am a lawyer practicing in Palo Alto, California. Our firm owns our office building located at 917 Alma Street, Palo Alto. The Authority's proposed project would have very significant impacts on our law business, not to mention other businesses in the Palo Alto community. The incredible noise and vibration involved with construction would make the continued occupation of our business offices untenable. Clients rely on street parking and would be unwilling to enter a construction zone of this magnitude. The present view from our business property is of beautiful trees and bushes, which would be eradicated under the existing plan. I131-1

My home would also be negatively impacted by the proposed route. My residence is at 1631 Stone Pine Lane, Menlo Park, California, which presently looks out on significant heritage oaks and garden areas that would be entirely eliminated by the proposed route. The direct impact would be to convert a delightful garden setting residential area into a concrete-walled, completely sterile, uninhabitable environment. I can assure you that I am a "neighborhood expert" with respect to the real impact of the project you propose. I131-2

CEQA requires the Authority to identify ways to eliminate or to mitigate these impacts to the greatest degree feasible. You should redesign the project to include measures to achieve that legal requirement, or choose a different alignment or project alternative that will have the required effect. It is simply not right or humane to decimate 50 miles of the highest-quality residential and commercial property through the heart of the San Francisco Bay Area Mid-Peninsula to achieve, at best, modest and questionable benefits to the transportation system of California. I131-3

550 HAMILTON AVENUE, #100
PALO ALTO, CALIFORNIA 94301
650 321 5005
REPLY TO ☐

ONE FERRY BUILDING, #210
SAN FRANCISCO, CALIFORNIA 94111
415 221 0900

917 ALMA STREET
PALO ALTO, CALIFORNIA 94301
650 321 5000
REPLY TO ☒

I request that you revise the Draft EIR addressing the numerous concerns of the citizens and voters of the Mid-Peninsula and that you then recirculate a Revised Draft EIR for further review and comment by the public. The level of opposition to your present Environmental Impact Report is loud and clear and reflects the legitimate concerns of the Mid-Peninsula population. I131-4

Thank you for taking my comments and concerns into account.

Sincerely,

ROBERT A. BIORN

RAB:PDJ

cc: State Senator Joe Simitian *(Via Facsimile Only @ 650-688-6370)*
Assembly Member Jerry Hill *(Via Facsimile Only @ 650-341-4676)*
Assembly Member Ira Ruskin *(Via Facsimile Only @ 650-691-2120)*

Response to Letter I131 (Robert A. Biorn, April 26, 2010)

I131-1

Comment noted. Detailed analysis at the project-level EIR/EIS will evaluate noise, vibration, parking, visual, and business impacts. Feasible mitigation measures will also be discussed at the project-level. See Standard Responses 2 and 3.

I131-2

Comment noted. Detailed analysis at the project-level EIR/EIS will evaluate impacts to existing heritage oaks and other landscaping and impacts to residences. Feasible mitigation measures will also be discussed at the project-level.

Comment about being a neighborhood expert is acknowledged.

I131-3

Comment acknowledged. The Authority is aware of its obligations to avoid and mitigate impacts and we believe this Revised Final Program EIR complies with CEQA.

I131-4

The Authority has revised and recirculated certain portions of the May 2008 Final Program EIR as the 2010 Revised Draft Program EIR Material. The purpose of the recirculated material is to comply with the final judgment of the Town of Atherton litigation. The Authority does not believe that additional revision and recirculation is necessary to fully comply with the court judgment and CEQA.

Comment Letter I132 (Beth Bunnenberg, April 22, 2010)

I132

April 22, 2010

California High Speed Rail Authority
Attn: Dan Leavitt, Deputy Director
925 L Street, Suite 1425
Sacramento, CA 95814

Re: Bay Area to Central Valley Revised Draft Program Level EIR

Dear Mr. Leavitt:

The Bay Area to Central Valley Program Level EIR in the Aesthetics and Visual Resources 3.9 omits the following National Register of Historic Places or potentially National Register structures and resources in Palo Alto, CA:

- 1. Greenmeadow National Historic Register District (approved in 2005) The current rail allignment is adjacent to Alma St. Across Alma Street Greenmeadow Way is the entrance to this district of Eichler built houses, community center and park. Indoor/outdoor living is the hallmark of these homes with large walls of glass (see Attachment A) Noise, repeated and ongoing vibrations and visual intrusion into private yard and home spaces are impacts which must be studied carefully. The post and beam system constructed on a slab foundation should be studied for adverse effects of vibrations. Aerial viaduct, at grade, and trench track allignments pose potential adverse effects to these properties. I132-1
- 2. The University Avenue Underpass - 1941 is eligible for the National Register.
- 3 The Embarcadero Underpass - 1936 is eligible for the National Register.
- 4. The Southgate-Mariposa Avenue component (where the track right of way is very narrow) The potential National Register Southgate Historic District must be evaluated for National Register status per CEQA regulations.
- 5. 3905 Park Blvd. c.a. 1905 residence is eligable for the California Register.

HSR-EIR P2
B Bunnenberg
4/22/2010

These historic resources (#2, 3, 4, 5) as well as the El Palo Alto Tree, The S.P. Treiss Steel Bridge - 1902, and the Southern Pacific Railroad Depot are discussed in the Palo Alto Historical Survey Update Final Survey Report by Dames and Moore dated Feb. 2001. The High Speed Rail Program EIR needs to include further descriptive information and mitigation measures that are appropriate for each of these resources. The current HSR Program EIR proposed mitigation places the at grade rail expanded allignment to the west. The digging and disturbance of building the rail line and installing the catenary near I130-1 cont.

- El Palo Alto can have disasterously negative impacts on the El Palo Alto Tree (see atachment B) The El Palo Alto Tree needs much further investigation with Palo Alto City arborist Dave Doctor because of unusual root growth, dependence on the creek eco system and sub-surface conditions.
- From some track allignments the Southern Pacific Railroad Depot would suffer major adverse effects, and as the EIR notes the Palo Alto Depot is west of the tracks. The main streets and the downtown are to the east. Introducing platforms of unknown height (perhaps 35' to 45' high) and canopies (perhaps 50' to 70' high as shown for the Diridon Station in San Jose) would have major adverse visual effects. Noise and vibration could also be problems.

Comment Letter I132 - Continued

HSR-EIR P3
BBunnenberg
4/22/2010

The rating of "Low visual impact" seems an inappropriate estimate for a Streamline Moderne Building which depends on long sight lines to convey the streamline feeling of movement.

The only appropriate mitigation to protect these resources is deep tunneling. Meanwhile the Program Level EIR - Aesthetic and Visual Resources shows at grade alignments.

I130
-1
cont.

Sincerely yours,
Beth Bunnenberg
Beth Bunnenberg
2351 Ramona St.
Palo Alto, CA 94301

cc Dominic Spathing-California High Speed Rail
City of Palo Alto-High Speed Rail-Sub Committee-Gayle Likens
Hon. Joe Simitian, California State Senator

EICHLER NETWORK

Editorial Contact:
Adriene Biondo: 818-943-6621; Adriene@astroluxe.net

HSR-EIR 2005
BBunnenberg
4/22/2010

A
Attachment ref material for I132-1

FOR IMMEDIATE RELEASE

BABY BOOMERS GET THEIR OWN NATIONAL LANDMARK

SUBURBAN TRACTS BY JOSEPH EICHLER WIN SPOTS ON THE NATIONAL REGISTER OF HISTORIC PLACES

Two of the earliest and best-preserved modern suburban tracts by California developer Joseph Eichler have just been added to the prestigious National Register of Historic Places. They are the first modern subdivisions to be so honored in California, and among the first in the nation.

The 63-house Green Gables and the 243-house Greenmeadow developments, both in Palo Alto, "really captured the Eichler story," said Paul Lusignan, the National Park Service historian who reviewed the listing. Green Gables and Greenmeadow were added to the National Register on July 28, 2005.

Eichler was a pioneering developer whose 11,000 modern homes of post-and-beam construction and expansive glass exemplify the casual California lifestyle of the 1950s and 1960s. With their open-to-the-sky atriums and open-plan living spaces, they provided an indoor-outdoor setting for family living and easy entertaining.

The architects of the two Palo Alto neighborhoods, Anshen + Allen and Jones & Emmons, were leading California firms of national importance. Eichlers influenced builders nationwide. Developers of the ubiquitous ranch house adopted many of Eichler's planning features and efficient methods of construction.

Placing the two Eichler neighborhoods on the National Register is important because "it helps reinforce the modernist aesthetic," says Adriene Biondo, a member of the Eichler 'Historic Quest' committee, the group that worked on the landmarking effort for four years, "and elevates the tract house to a higher level."

Being placed on the National Register imposes no regulations on homeowners. But preservation was one goal of the landmarking effort, says Quest member Marty Arbunich. "Our purpose was to give the Eichlers the respect they deserve," he says, "and, at the same time, reinforce homeowner pride and a desire to preserve these homes."

One of the goals of 'Historic Quest' was to encourage Eichler residents and fans to seek National Register designation for their own neighborhoods. Nominations are being considered for several, including Rancho San Miguel in Walnut Creek, and Balboa Highlands in Granada Hills (Los Angeles County).

Greenmeadow and Green Gables are among the first suburban tracts in the country – and among the first modern suburban tracts of any sort – to be added to the National Register as historic districts. Only a handful of modern subdivisions have preceded them. They include Arapahoe Acres in Colorado, 124 individually designed homes built from 1949 to 1957; Rush Creek Village in Ohio, 49 homes designed from the 1940s to '70s by Frank Lloyd Wright disciple Theodore Van Fossen; and three subdivisions in Maryland designed from 1951 to '61 by Charles Goodman. An application is in the works for another Goodman neighborhood, Hollin Hills in Virginia.

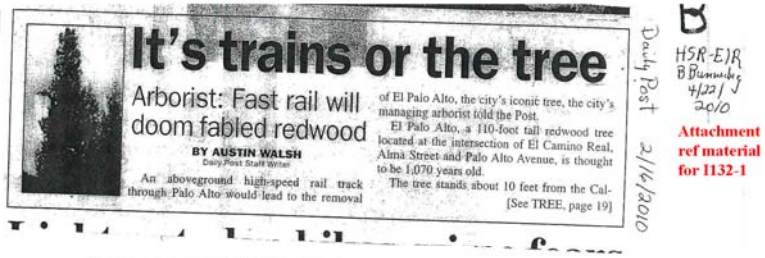
On the West Coast, only one modern neighborhood is on the National Register, housing for nuclear plant workers in Richland, Washington.

The all-volunteer Eichler 'Historic Quest' Committee is comprised of eight Eichler residents and aficionados from both Northern and Southern California.

photo: Ernst Beadle - A. Quincy Jones Architectural Archive

Builder Joe Eichler (center) with architects Jones & Emmons, who designed the 'landmark' Greenmeadow tract of Palo Alto, circa 1953.

Comment Letter I132 - Continued



It's trains or the tree

Arborist: Fast rail will doom fabled redwood

BY AUSTIN WALSH
Daily Post Staff Writer

An aboveground high-speed rail track through Palo Alto would lead to the removal of El Palo Alto, the city's iconic tree, the city's managing arborist told the Post.

El Palo Alto, a 110-foot tall redwood tree located at the intersection of El Camino Real, Alma Street and Palo Alto Avenue, is thought to be 1,070 years old.

The tree stands about 10 feet from the Cal-

[See TREE, page 19]

Daily Post 2/14/2010

HSR-EIR
B Bunnenberg
4/22/2010

Attachment ref material for I132-1

FROM PAGE 1

TREE

train tracks, and the type of intrusive construction necessary to build a high-speed rail line will, either or sooner or later, result in the death of the famous tree, said Dave Dockter, the city's managing arborist.

"The best scenario for the tree would be no rail project," said Dockter. "The second best would be to tunnel way down deep under the tree so as to not mess up its roots and the hydrology, but there couldn't be an aboveground scenario near the tree; that would be catastrophic."

Digging near the tree, or upsetting its complex root structure could make the tree unstable and cause it to fall over, Dockter said. However, even if it doesn't fall in the near term, construction that interrupts its access to the ground water from nearby San Francisquito Creek would result in its gradual death, said Dockter.

The proposed line would run alongside the [illegible] tracks and require a width of [illegible] 100 feet, though at some places only [illegible] feet, high-speed rail officials said during a meeting with about 100 Palo Alto residents and government representatives on Feb. 9.

Beth Bunnenberg, Palo Alto resident and member of the Historic Resources Board, pleaded with rail officials at the meeting to save the city's oldest tree, which the state Office of Historic Preservation designated as California's second leading historic natural landmark.

The tree is healthier now than it was over a century ago, due in part to the modern preservation technology the city has built into the tree — a misting system installed in its canopy to mimic the foggy, moist conditions redwoods thrive in, said Dockter.

If anything can be done to save El Palo Alto from the proposed high-speed rail line, it will have to spring from a determined joint effort between rail officials and tree experts, said Dockter.

"All the nation's best arborists and engineers would have to come around that tree and be on the same side, not as an adversarial relationship, but as an engineering challenge," said Dockter. "Engineerings needs to meld with nature."

Response to Letter I132 (Beth Bunnenberg, April 22, 2010)

I132-1

See Response to Comment L003-79.

Comment Letter I133 (Beth Bunnenberg, April 14, 2010)

I133

BAY AREA TO CENTRAL VALLEY HIGH-SPEED TRAIN REVISED DRAFT PROGRAM ENVIRONMENTAL IMPACT REPORT MATERIAL

COMMENT SHEET

4/14/2010

Written comments may be submitted at today's meeting or may be mailed or faxed to the Authority.

Mail: Dan Leavitt
California High-Speed Rail Authority
925 L Street, Suite 1425
Sacramento, CA 95814

Fax: (916) 322-0827
Attn: Bay Area to Central Valley Revised Draft Program EIR Material Comments

Email: comments@hsr.ca.gov
Re: Bay Area to Central Valley Revised Draft Program EIR Material Comments

All comments must be received by end of day **April 26, 2010.**

Please provide your comments below.

Name (please print): Beth Bunnenberg
Title (if applicable): individual
Organization/Business (if applicable):
Address: 2351 RAmonA St
City: Palo Alto, CA 94301 State: CA Zip: 94301
Phone: (650) 326-3813 Fax:
Email: —
Meeting Date: 4/7/2010 Meeting Location: San Jose, CA

COMMENTS: In the Revised Draft Program EIR material the Historical Sections are inadequate in discussion of National Register structures and features. There is little information on the style, significant features, and significance to the community. There are no mitigation measures to lessen the significant impact of the High Speed Rail construction on the sites. Potential impacts are significant damage to historical features during construction and the ongoing hazards of continual noise and vibrations to the historic structures that are so near the tracks. Mitigation measures should protect the public view of the National Register structures.

Samples from the Revised HSR Program EIR: I133-1

1. Santa Clara CalTrain Station p. 3.9-18 built 1864. National Register. Elevated structure (aerial structure raised track) provides "a new dominant linear form behind the depot." No mention of obstructed views.
2. San Jose p. 3.9-21 Diridon Station built 1935 National Register. "a 45' above grade platform and extended canopy 70' high" would dwarf Station

The tunneling option is the only mitigation that adequately protects the National Register structures. Cities such as New York and Boston have replaced elevated rail lines with subways and tunnels.

Beth Bunnenberg

www.cahighspeedrail.ca.gov

Response to Letter I133 (Beth Bunnenberg, April 14, 2010)

I133-1

The Authority disagrees. The analysis conducted for cultural resources in the 2008 Final Program EIR and the 2010 Revised Draft Program EIR Material is appropriate for a program-level environmental document. See Standard Response 3. The revised project description between San Jose and Gilroy does not result in changes to the discussion of cultural resources beyond what was identified in the 2010 Revised Draft Program EIR related to Keesling's shade trees. The analysis for cultural resources was included in Chapter 3.12, Cultural Resources and Paleontological Resources, in the May 2008 Final Program EIR.

Mitigation strategies for cultural resources are included in Chapter 3.12 of the 2008 Final Program EIR. Resource-specific cultural resources mitigation measures such as those resulting from noise, vibration, and visual intrusion will be developed as part of the project-level EIR/EIS and through the Section 106 process. Also refer to Chapter 3.4, Noise and Vibration, for mitigation strategies related to vibration and Chapter 3.9, Aesthetic and Visual Resources, for mitigation strategies for visual intrusion. Also see Standard Responses 3 and 5.

Under Section 106 of the National Historic Preservation Act (36 CFR § 800), the procedures to be followed at the project level include identification of resources, evaluation of their significance under the National Register of Historic Places and CEQA, identification of any substantial adverse effects, and evaluation of potential mitigation measures. Specific resources within the Area of Potential Effects will be further examined in detail at the project level because the identification of potentially affected resources and project effects and mitigation are dependent on the HST location and system design, and can only be done at the project level.

Comment Letter I134 (Hugo and Claire Fiennes, April 25, 2010)

I134

Kris Livingston

From: Hugo Fiennes [hfiennes@gmail.com]
Sent: Sunday, April 25, 2010 12:36 AM
To: HSR Comments
Cc: city.council@cityofpaloalto.org
Subject: San Francisco to San Jose Revised Draft Program EIR Material Comments

To: Dan Leavitt, California High-Speed Rail Authority, comments@hsr.ca.gov
From: Hugo & Claire Fiennes, 341 Carolina Ln, Palo Alto, CA 94306, hfiennes@gmail.com
CC: City of Palo Alto, city.council@cityofpaloalto.org

This email is a comment on the EIR; though I see that you have requested that comments are limited to the parts that changed in the 2010 draft, we are led to believe that because the entire EIR was de-certified, commenting on any section of the original 2008 EIR is valid and our concerns must be addressed. I134-1

Comments on section 3.3, Air Quality and Global Climate Change

Section 3.3.3 (A) states that the on-road emission numbers used to compare each route's carbon impact is based on old data; whilst that data may have been current at the time the report was compiled, the recent passage of the EPA CO2 reduction law means that the AB1493 2030 targets are now to be implemented by 2016. I134-2

We believe that the numbers should be re-calculated with the new legislation factored in as otherwise the road traffic is unfairly penalized; also, the numbers presented do not show what assumptions have been made which makes a detailed analysis impossible for any third party. We request that the source data is made available for this calculation.

Finally, the report does not address the energy used for construction of the HSR system, just the operation. We believe that such a large infrastructure project should calculate and state these numbers otherwise it is not presenting the entire picture. Expected lifetime of the system can then be used to amortize the construction energy "expense" into the annual energy comparisons. I134-3

Comments on section 3.4, Noise and vibration

Section 3.4.1 specifically calls out the legislation that the EIR uses to determine impact levels of noise generated by HSR operation; this legislation is obviously US-specific, calling out EPA standards and California legislation, but it is our belief that these standards are inadequate for a high speed rail system as such a development has never been undertaken in the US.

In Europe, where high speed rail has a long history, there has been significant work on these areas and we believe that HSR planning here should, in particular, take note of the results of directive 2002/49/EC [1], including: I134-4

1. Environmental impact of a route should be calculated using "strategic noise maps", which are created using harmonized noise indicators, namely Lden (day-evening-night level) and Lnight (night level), and population density. Note that this introduces a weighting for evening noise vs the Ldn (day & night only) metric referred to in the EIR, and produces a much more detailed picture of the impact from HSR due to inclusion of population density.

2. There is a standardized procedure for noise calculations for these noise maps, as set out in 2003/613/EC [2]; this specifies the methodology to be used to determine noise levels on populations. It should be noted that the

standard measurement height is 4.0m, which is above the height of many of the single-story suburban homes in peninsula homes, which will significantly increase the number of homes impacted by noise especially with raised tracks.

3. Limits are being reduced across Europe over time as technology improves [3] and the adverse effects of noise on the population are studied; we believe that the system should be compliant with the standards in force in Europe at the time the system begins operation [4]. I134-4 cont.

We look forward to seeing these concerns addressed.

Sincerely,

Hugo & Claire Fiennes

References

[1] DIRECTIVE 2002/49/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 25 June 2002 relating to the assessment and management of environmental noise, available at http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2002:189:0012:0025:EN:PDF

[2] COMMISSION RECOMMENDATION of 6 August 2003 concerning the guidelines on the revised interim computation methods for industrial noise, aircraft noise, road traffic noise and railway noise, and related emission data, available at http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2003:212:0049:0064:EN:PDF

[3] Noise emission from railway traffic, available at http://www.vti.se/EPiBrowser/Publikationer%20-%20English/R559AEng.pdf

[4] A Study of European Priorities and Strategies for Railway Noise Abatement, available at http://ec.europa.eu/transport/rail/research/doc/ods-final.pdf

Response to Letter I134 (Hugo and Claire Fiennes, April 25, 2010)

I134-1

See Response to Comment O004-6.

I134-2

The 2010 Revised Draft Program EIR Material addresses those topics identified in the final judgment for the Town of Atherton litigation as requiring corrective work under CEQA. Air quality and global climate change was not one of those topics. Refer to Chapter 3.3 of the 2008 Final Program EIR and Appendix 3.3-A where air quality and global climate change impacts are discussed and were air quality calculations are included. The conclusion is that the HST system statewide would result in a net reduction in CO2 and GHG emissions. This analysis satisfied CEQA. More detailed analysis of potential operational, maintenance, and construction air quality impacts on sensitive receptors will be provided during project-level environmental review, when more detailed information will be available. See Standard Response 3.

I134-3

The Revised Draft Program EIR Material addresses those topics identified in the final judgment for the Town of Atherton litigation as requiring corrective work under CEQA. Energy was not one of those topics. Please see Chapter 3.5 of the May 2008 Final Program EIR where construction energy is discussed.

I134-4

The studies will be conducted in accordance with the Federal Railroad Administration (FRA) procedures presented in the High-Speed Ground Transportation Noise and Vibration Impact Assessment Report prepared October 2005. The FRA Guidance Manual reflects the result of research conducted for the FRA and is presented as part of FRA's efforts to provide guidance in the consideration of HST as a transportation option in those intercity corridors where it has the potential to be a cost effective and environmentally sound component of the intermodal transportation system. See also Standard Response 5.

Comment Letter I135 (Frank Flynn, April 26, 2010)

I135

Kris Livingston

From: frank@declan.com
Sent: Monday, April 26, 2010 4:50 PM
To: HSR Comments
Subject: HSR

Just a quick note to sayu I support HSR - I live 2 blocks from Caltrain and I still support it. I135-1

This is vital to our future.

Thanks

Frank Flynn
471 Matadero Ave Palo Alto 94306

1

Response to Letter I135 (Frank Flynn, April 26, 2010)

I135-1

Comment of support is acknowledged.

Comment Letter I136 (Susan L. Fineberg, April 26, 2010)

I136

Kris Livingston

From: Susan Fineberg [susan@fineberg.net]
Sent: Monday, April 26, 2010 4:52 PM
To: HSR Comments
Cc: 'Williams, Curtis'
Subject: Bay Area to Central Valley Revised Draft Program-Level EIR Material Comments

Susan L. Fineberg
361 Tioga Court
Palo Alto, CA 94306

April 26, 2010

California High Speed Rail Authority
Attn: Dan Leavitt, Deputy Director
comments@hsr.ca.gov

Subject: ***Bay Area to Central Valley Revised Draft Program-Level EIR Material*** **Comments**

Dear Mr. Leavitt:

Comment 1) The document precludes transparent and open deliberation of the project in its entirety when it states "The requirement of the judgment to revise and recirculate portions of the program EIR does not require the Authority to start the program EIR process anew." (Revised Draft Program EIR Material, March 2010, page 1-2). I136-1

Comment 2) The document rejects public comment when it states that "Pursuant to CEQA Guidelines section 150088.5 subdivision (f)(2), the Authority requests that reviewers limit the scope of their comments to the revised materials contained in this document. The Authority is obligated to respond only to those comments received during the circulation period that relate to the content of this Revised Draft Program EIR Material." (Revised Draft Program EIR Material, March 2010, page 1-4) This precludes adequate public comment on issues relating to alternative routes such as: through the east bay, Altamont Pass, other horizontal alignments up the peninsula, or stopping HST at San Jose with electrified CalTrain providing service up the peninsula. I136-2

Comment 3) The document does not discuss the impacts of the HST alignment through the East Bay route with service to Oakland as stipulated in the bond measure. As such, the analysis is a segmented review of the project within the Bay Area. I136-3

Comment 4) The document fails to discuss the impacts of potential "sprawl" development as a result of now far reaching areas of the state becoming an acceptable commute distance(time) away from the S.F. Bay Area. The document does not analyze these impacts of residential and office development on what is now productive farm land. The loss of this farm land which sequesters carbon is not analyzed. I136-4

Comment 5) The document fails to analyze the potentially improved environmental conditions of this project versus proposed alternative routes, a hybrid route (stopping HST in San Jose) vs. no project. It does not identify the embedded energy of existing infrastructure that would be taken out of service. I136-5 I136-6

Comment 6) The document does not properly rank the property impacts as low and medium given that the right-of-way maps along the proposed alignment are not available for public review. I136-7

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Comment 7) The document does not deal with the environmental impacts of cut and or fill. I136-8

Comment 8) Measurement of impact is not just a measurement of how many miles of tracks are built, but the economic and environmental impacts on the specific land impacted. When considering the cost of Pacheco vs. Altamont routes, there must be a consideration of the context of the full build-out of the project. I136-9

Thank you for the opportunity to provide these comments on the *Revised Draft Program EIR Material for the Bay Area to Central Valley HST Project.*

Susan L. Fineberg

2

Response to Letter I136 (Susan L. Fineberg, April 26, 2010)

I136-1

Comment acknowledged. The court ruling in the Town of Atherton case was included as Appendix A to the 2010 Revised Draft Program EIR Materials. The court concluded that many portions of the 2008 Final Program EIR complied with CEQA. The Authority h as accurately stated that it was not required by the Court to start the EIR process over to comply with CEQA.

I136-2

The Authority disagrees that limiting the scope of comments to the Revised Draft Program EIR Material is inappropriate. The Authority requested that members of the public focus their comments on the new information and analysis contained in the Revised Draft EIR Material and stated that the Authority's legal obligation extended to responding only to those comments related to the new materials. The Authority's request is based on CEQA Guidelines section 15088.5, applicable to situations like the current one where a lead agency must revise and recirculate only a portion of a prior Final EIR. The current EIR process is specifically intended to comply with the judgment from the Town of Atherton litigation and that judgment found that only those issues in the revised materials required further CEQA compliance.

I136-3

See the 2008 Final Program EIR Volume 1 chapters 2 and 7 for a discussion of alignment alternatives including East Bay and Oakland. Oakland is included in the corridors listed in the referenced bond measure, Proposition 1A of 2008. No additional information on this topic was included in the 2010 Revised Draft Program EIR Material. This topic was not identified by the Superior Court in the Town of Atherton case as an area needing additional work to comply with CEQA.

I136-4

The issue of growth inducement is not one of the areas identified by the court in the Town of Atherton final judgment as requiring further work to comply with CEQA. Economic growth and growth-related impacts were discussed in the May 2008 Final Program EIR in Chapter 5. The impact of growth on farmlands is specifically addressed.

I136-5

The Authority notes that the Draft and Final Program EIRs did evaluate alternatives that would terminate in San Jose and not travel up the Peninsula on the Caltrain Corridor. These alternatives included Altamont Pass Network Alternative with Oakland and San Jose Termini; Altamont Pass with San Jose Terminus; Altamont Pass with San Jose, Oakland and San Francisco via Transbay Tube; Pacheco Pass with Oakland San Jose Termini; Pacheco Pass with San Jose Terminus; Pacheco Pass with San Jose, Oakland, and San Francisco via Transbay Tube; Pacheco Pass with Altamont Pass (local service) with Oakland and San Jose Termini; and Pacheco Pass with Altamont pass (local service) with San Jose Terminus.

The Authority will make a new decision on a network alternative to carry into the project level environmental document. The alternatives that avoid the Caltrain corridor are not the staff recommended network alternative, but will be considered by the Authority as part of the new decision. Public comments supporting terminating HST service in San Jose will be part of the record that the Board considers.

I136-6

Detailed information and analysis of energy impacts will be included in the project-level EIR/EIS. In addition to the energy demand of the HST, the energy impact analysis will consider the energy impacts in terms of fuel usage resulting from other modes of transportation affected by the project such as automobiles, planes and trains .

I136-7

Because this is a program-level document, the analysis considered the potential for property impacts on a broad scale. Potential project-level impacts on property will be addressed at the project-level. See Standard Response 7 regarding Eminent Domain.

I136-8

The programmatic level of detail in the May 2008 Program EIR/EIS and the Revised Draft Program EIR Material is intended to be commensurate with the programmatic nature of the decisions under consideration. Engineering of the alternatives has not progressed far enough to allow an analysis of the cut and fill requirements for the alternatives. More detailed analysis of site-specific environmental impacts and mitigation measures for a more detailed project (selection of specific HST track placement alternative, selection of specific station locations) will be considered in in subsequent project-level EIR/EISs.

I136-9

See Response to Comment L020-36.

Comment Letter I137 (Amy Friedman, April 19, 2010)

I137

Kris Livingston

From: naron.01@hotmail.com on behalf of Amy Friedman [amyefriedman@gmail.com]
Sent: Monday, April 19, 2010 9:51 PM
To: HSR Comments
Subject: Bay Area to Central Valley Revised Draft Program EIR Material Comments

The CHSRA's program EIR has stated that among other alternatives, an elevated structure may be used to bring the HSR, running along the San Francisco to San Jose Caltrain corridor, I am requesting that the CHSRA provide the following as part of the environmental impact of such a structure. I expect that the CHSRA will back up all its claims about environmental impacts with hard data. As the CHSRA has stated, there are other HSR systems in the world. I expect you will present us with real data collected from impact studies, not just the CHSRA's subjective assessment that a particular feature of the project will have minimal impact. This remains one of the more startling and unsettling components of the program documents. I137-1

I am requesting that the CHSRA provide the public with the data to understand its analysis in creating the program EIR. The CHSRA has not provided a sufficient level of detail to allow for an adequate evaluation of its assessments of environmental impact. **I want the CHSRA to share its research, assumptions, and details of its decision matrices with community based consultants. This will provide data for an informed discussion of EIR assessments by the CHSRA.**

What are the core values that drove it's choice of corridor, alignment alternatives, equipment features, impact assessments and mitigating measures? Each choice represents a trade off among construction and operational efficiencies, costs and environmental impacts. For the public to be able to work collaboratively with the CHSRA and Caltrain, we must know the values assigned to the various trade offs. I137-2

Because the elevated/aerial alternative for bringing high speed rail through Palo Alto is likely to pose the most severe environmental from the standpoints of visual and noise pollution I am requesting that the CHSRA make its highest priority the investigation of the feasibility of all alternate solutions to an elevated system. These include, in order of priority: 1) tunneling, 2) trenching, 3) cut and cover, 4) at grade. I137-3

All EIRs must include the severity of environmental impacts along the right of way from the center of the railway to at least 500 feet on each side, or further if the context (vibration and noise studies) demands. I137-4

A) Visual Impacts
I want the CHSRA to examine **the environmental impact of the visual clutter of an elevated or at grade electrified system with catenary in neighborhoods of one story dwellings.** Some of these neighborhoods have historical status. I would expect that the evaluation of such impact to include realistic mock-ups of both vertical alignments including catenary and trains with pantographs.

MY neighborhood is full of single story homes with lawns, bushes and trees. Any aerial or elevated structure, will replace natural views with man-made structures. Any widening of the right of way will require the destruction of the trees which currently screen the view of the tracks. Even an at grade solution with pantograph and catenary will introduce man made visual clutter. I chose to buy a home in this area because of the park and the greenery. The closeness to the Caltrain right of way was/is mitigated for me by the greenery. The development of the HSR threatens that mitigation. I137-5

In order to mitigate increased noise pollution and to reduce unwarranted access to the right of way, a soundwall has been proposed. Once again this would substitute a man made structure for the more soothing natural screen that we now have.

A crucial mitigation for the visual clutter imposed upon the communities by either an electrified at grade railway with catenary or an elevated/arial/electrified railway along the Caltrain right of way should be a **significant investment in replacing the natural screening landscaping. You have not specified**

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the type of landscaping you intend to plant. It should ideally provide a screen to hide the train from surrounding homes and roadways. This means planting fast growing trees of upright habit that are already substantial in size, and drought tolerant bushes. How many feet apart will you be planting trees? What size will they be at the time of planting (please specify container size)? Who will pay the costs of increased water consumption that these new plantings will require? Please identify the source funding allocated to maintain the landscaping in a well-groomed and healthy state. **I request that the level of visual environmental impact be evaluated by an advisory board made up of representatives of the affected communities.** I137-5 cont.

B) Noise:
CHSRA has not cited scientifically designed studies on the effects of noise that will be generated along the corridor. The communities affected need to be able to evaluate the environmental impact of an at grade or elevated train traveling at 120+ mph combined with freight, baby bullets from Caltrain and Caltrain local trains. I would like the CHSRA to present its data on the experience of people living near such tracks. Such data should include the experience of the environmental impact at different distances from the train as well as the effect of a sound wall. The CHSRA needs to make explicit how it evaluates **studies relevant to the impact of such noise on different age groups and different activities of daily life. There is reason to assume that the effects of noise is greater in the young, developing brain and in the elderly.** http://www.nonoise.org/library/smj/smj.htm

How does the CHSRA propose to protect those more vulnerable from the cognitive and emotional effects of increased exposure to noise generated by the High Speed trains in combination with Caltrain and UP? Infants and young children as well as the elderly often nap during the day, or sleep at times that may have peak train frequencies.

"Research shows that interruption of deep sleep has a dramatic effect on the body's metabolism and the conversion of sugar into energy, heightening the risk of diabetes."
http://www.globalaging.org/health/world/2008/sleep.htm

The Report on the second meeting on night noise guidelines (Geneva, Switzerland, 6- 7 December 2004)issued the following summary of groups at risk for having their sleep disturbed by noise. I137-6
"1. sensitive subjects (anxious and with neurotic tendencies);
2. children (because the growth hormone is segregated during SWS sleep and the REM sleep is crucial for memory);
3. women during pregnancy and perimenopausal period
4. shift workers
5. elderly people (their sleep is more superficial)
6. patients at intensive care units,
7. low-birth weight infant units,
8. and residents and disabled persons in nursing homes.
Besides healthy population, standards should be recommended and strictly adhered to in hospitals, particularly at intensive care units."

"Effects of sleep disruption in children induced by noise:
Short term Behavioral Daytime fatigue; decreased performance and concentration, memory difficulties; difficult behavior; increased motility
Medical increased heart rate; use of sleeping pills and sedatives
Mortality Increased risk (Sudden Infant Death syndrome) ?
Long term Behavioral Difficulty in modulating impulses and emotions; poor performance at school, fatigue, memory difficulties, concentration problems; impaired wellbeing and motivation: increased risk of accidents; increased motility
Psychiatric Depression, anxiety conditions; aggressive and delinquent behaviour; attention-deficit/hyperactivity disorder; alcohol, smoking, caffeine and other substance abuse (?)
Medical Increases in sleep disorders (parasomnia); changes in blood pressure; changes in carbohydrate metabolism; changes in immune system (?);use of sleeping pills and sedatives
Mortality Increased risk (Sudden Infant Death syndrome) (?)"

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Comment Letter I137 - Continued

www.**euro.who.int**/Document/NOH/2nd_NNGL.pdf

The report makes a strong case for adherence to WHO guidelines on recommended decibel limits. According to the report, WHO may also provide consultation. (http://www.ruidos.org/Noise/WHO_Noise_guidelines_3.html)

Please specify what mitigations to daytime and nighttime noise levels will be made. What funds will be allocated to assist residents directly impacted by the increase noise levels and increase accumulated noise load? Residents may need to adding sound abating materials to their homes and replace windows and/or install air conditioning if the external noise level makes it unhealthy to sleep with open windows. I137-6 cont.

C) Maintenance:
I want the CHSRA to conduct or make available scientifically designed studies to determine the amount of debris/dust and other particulate matter (grease, oil) generated along the route as trains pass at high speeds through the neighborhood. The issue of pollution and maintenance is not adequately addressed in the document. I137-7

I want the CHSRA to identify the source of funds for maintaining the right of way, deodorizing and cleaning litter that will inevitably accumulate in underpasses and for removing graffitti from concrete surfaces. **I would like the CHSRA to clarify how affected communities might interact with CHSRA to determine maintenance standards. As rolling stock and infrastructure ages costs of maintenance will inevitably increase. Please specify how the CHSRA has calculated the cost of maintenance over the next ten, twenty and fifty years given the predicted rate of obsolescence of rolling stock and infrastructure.** I137-8

D) Vibrations:
There are potentially two sources of vibrations. The first is from the construction phase and the second from the operational phase. Studies of vibrations emitted by each construction alternative and its corresponding operational vibrations have not taken into account the specific effects on eichler homes along the route. These homes with radient heat flooring and large floor to ceiling windows may have unique vulnerabilities. I want the CHSRA to provide data for us to evaluate the degree to which vibrations will emanate from the passing trains into the adjacent soil and homes. These data will be different with different vertical alignments and soil conditions. The vibration emitting events will be frequent by most technical definitions, thus more likely to be annoying. Please specify the CHSRA estimates of the VdB at varying distances from the center of the railway (up to 500 feet) and indicate how you arrived at those estimates. (www.fra.dot.gov/downloads/RRDev/final_nv.pdf) I137-9

E) Eminent Domain and Reverse Condemnation

The CHSRA has not detailed its procedure for eminent domain. Nor has it identified all properties that would be subject to eminent domain under its various vertical alignment strategies.

I request that homes be valued prior to the election in Nov. of 2008. The impact of the HSR on value of property can be measured by assessing the changes in value of properties in similar neighborhoods that do not abut the right of way. If other properties have gone down 5%, for example, since November of 2008, but the homes near the right of way have gone down 15%, we can assign the greater dip in value to the effect of the impending construction of the HSR. I want the CHSRA to appeal to the county to lower property taxes for those owners whose properties lose value. I137-10

Some homeowners in the affected areas have applied Prop 60 or Prop 90 in the purchase of their homes. I want the CHSRA to set aside funds, or move to **create legislation, as part of its powers of eminent domain to extend a one time exception to the one time rule for those homeowners who must sell because they cannot tolerate the environmental impact of the HSR structure.** I want the decision to sell and relocate under this one time exception to be left up to the affected homeowner. I want the CHSRA to make its intentions relative to this item explicit. Furthermore, since

prop 60/90 only applies when a new home is less expensive than the one being sold, **I want the legislation to allow owners to value their property based on it's purchase price, or the estimated value prior to the passage of Prop. 1A, not upon the impacted sale price.** I137-10 cont.

I want the CHSRA to specify how much money will be set aside for reimbursement of property owners whose **property suffers damage over time from the environmental impact of the railway.** I137-11

I want the CHSRA to specify how it will **reimburse property owners who are temporarily dislocated due to the disruptive effects of the construction.** How will you help homeowners whose well being dictates that they move from their impacted residences and the noise, dirt, interruption of traffic flow, etc of the prolonged construction? How will dislocated residents be able to access funds to help them relocate temporarily? Will such homeowners receive respite from paying property taxes on homes they cannot inhabit? Will the CHSRA pay the property taxes on these temporarily uninhabitable homes? Will displaced homeowners be eligible for a tax deduction for the cost of maintaining a second residence? I137-12

I want the CHSRA to specify how it will reimburse property owners whose property abuts the train tracks, but may not be taken by eminent domain, but can no longer inhabit their homes because of the quality of life decrease. I137-13

F) Security

One of the goals of CHSRA is to attract passengers away from cars and planes by providing safe and speedy transit. However, the CHSRA does not address issues of security on the trains and along the railway. I want CHSRA to describe anticipated security procedures such as passenger screening, track monitoring, onboard security monitoring. **It is a folly to assume that no security screening or monitoring will be needed along the miles of railway. I want the CHSRA to specify how much these measures will cost as part of the initial construction, and as part of ongoing operations. I want to know how much time security procedures will add to the trip for each passenger.** Currently airlines have required passengers to arrive 60-90 minutes earlier than departure time. What will be the requirement for railway travelers? I137-14

G) Cost estimates
The CHSRA has cited the relative costs of the various vertical alignments of the railway from San Francisco to San Jose. It is difficult if not impossible to evaluate the estimated costs of construction when we do not have better estimates of the costs of eminent domain posed by some alternatives vs the opportunity costs of reclaimed land afforded by others. Numbers are needed. I137-15

H) Consultants and Contractors
I believe that the affected and interested communities must have access to the credentials of all consultants hired by the authority and a list of their previous collaborations with members of the CHSRA and Caltrain. **I request that no consultants or firms hired during the project document phase be employed during the construction phase.** This would eliminate the appearance of bias from the expert consultants who might otherwise be seen as recommending construction alternatives that they are then hired to execute. I137-16

I) Environmental Justice
As I understand it, this term is used assess whether low income and minority populations are over represented among those the directly and indirectly impacted, by a project. I assume that this is because, historically, these groups have been more vulnerable and have not had the resources that might allow them to change their circumstances should the proposed project create environmental conditions that prove intolerable to them. With reference to the present project, the population of those who are both vulnerable and without resources to relocate and remain in some proximity to their community will be very high. When a high percentage of one's life's savings is invested in one's home, as is typical along the SF-SJ corridor, there are few options to relocate when one's home loses value. Make no mistake, property values will plunge and any alternate residence further from the railway, will become relatively more expensive for those in highly impacted neighborhoods. The elderly and the young family with one wage earner will be particularly affected. I137-17

Comment Letter I137 - Continued

J)Transparency of Communication and Information Sharing
The public relations effort by the HSR/CHSRA has been characterized as taking in lots of information from the public over a series of meetings and workshops but giving back very little information. Because of this, there is no way to know what information coming from the public has been understood, internalized, misunderstood, or laughed off. I137-18

I am requesting that the CHSRA provide the public with the data to understand the basis for the design features it sets out in the project level document. Each of these features will have its own environmental impacts. Each choice will represent trade offs among construction and operational efficiencies, costs and environmental impacts. **For the public to be able to work collaboratively with the CHSRA and Caltrain, we must know the values assigned to the various trade offs.** I137-19

I am concerned that in today's constricted financial environment, cost will be the most powerful value guiding design features. We will be living with CHSRA's decisons for the rest of our lives. **Cost must not be allowed to be the sole determination of what gets built. If we cannot build it right, we must not build it.**

Respectfully submitted,

Amy Friedman
2115 Park Blvd.
Palo Alto, CA 94306
650-906-3598-mobile

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Response to Letter I137 (Amy Friedman, April 19, 2010)

I137-1

The Authority's Bay Area to Central Valley Program EIR is intended as a first-tier environmental review under CEQA. The EIR text indicates the methodology of the programmatic analysis. Some chapters of the environmental analysis are augmented by data included in Volume 2 of the 2008 Final Program EIR. We believe the data and information are sufficient for the general level of decision making. See Standard Responses 2 and 3.

I137-2

The discussion of the basis of the preferred alternative was included in Chapter 7 of the 2010 Revised Draft Program EIR Materials. This discussion describes the tradeoffs between alternatives and how well the alternatives meet the project objectives.

I137-3

See Standard Response 10 regarding vertical profile alternatives.

I137-4

As noted in Chapter 3.4 of the May 2008 Final Program EIR, varying study area widths were used for noise/vibration, depending on the expected speeds withing the segment. Where speeds are expected to be low, a study area of 100 feet on both sides of the alignment was used. For top-speed areas, the potential impact study area extended to 200 feet on both sides of the alignment. This methodology is consistent with screening criteria recommended by FRA, FHWA, and FTA. Detailed analysis at the project-level EIR/EIS will evaluate noise and vibration impacts. Feasible mitigation measures will also be discussed at the project-level.

I137-5

Immediately adjacent to the commenter's address, the existing Caltrain right-of-way is approximately 100 feet wide. The 2008 Final Program EIR assumed that Caltrain and HST would remain within the existing right-of-way, meaning that trees outside the right-of-way would not be removed, although some trimming would be required for vegetation intruding on the right-of-way. The trees along the right-of-way could work to screen the visual impact and noise from the project, including any potential soundwalls.

A detailed impacts analysis of the HST will be undertaken as part of project level engineering and environmental analyses. Operational, construction, and maintenance impacts can be addressed as part of a project-level EIR/EIS. Specific locations and the scale of impacts will be further examined in detail at the project level because they are a product of the HST system design, and the detail necessary to identify the presence of the impact, the level of significance, and mitigation can only be done at the project level. The exact specification of screening or plantings and their design would be determined by the project-level analysis.

I137-6

See Standard Response 3.

More detailed information and analysis of nosie and vibration impacts and mitigation will be included in project-level EIR/EISs. At that time, noise data will be provided in the document, as appendices, or as separate studies available at the Authority's website.

I137-7

See Standard Response 2 regarding the tiered EIR process and Standard Response 3 regarding the level of detail for impacts analysis and mitigation in the program-level EIR. Detailed analysis at the project-level EIR/EIS will evaluate air quality (particulates) impacts. Feasible mitigation measures will also be discussed at the project-level.

I137-8

The business plans and addenda prepared by the Authority identify that the riders fares would cover the entire cost of operating and maintaining the system, see Standard Response 5.

I137-9

See Response to Comment I137-6. More detailed information and analysis of nosie and vibration impacts and mitigation will be included in project-level EIR/EISs. The project-level vibration analysis will consider impacts to both typical structures and to historic structures that may be mor susceptible to vibration. Appropriate mitigation, if necessary, can be incorporated into the project design to buffer vibration at the source.

I137-10

See Standard Resonse 7 regarding Eminent Domain.

I137-11

See Standard Resonse 6 regarding property values.

I137-12

The 2010 Revised Draft Program EIR Material addresses those topics identified in the final judgment for the Town of Atherton litigation as requiring corrective work under CEQA. Construction impacts was not one of those topics. See Chapter 3.18 in the 2008 Final Program EIR and the impact analyses in other sections of Chapter 3. More detailed impact analyses related to HST system construction including trackway, stations, maintenance facilities, transmission lines, staging areas, and other project elements will be performed during the project-level EIR/EIS analysis, when more detailed design, location, and phasing/duration information will be available for the selected HST alignment. The Authority would work with local agencies prior to and during construction to minimize impacts on adjacent land uses. See Standard Response 6.

I137-13

See Standard Responses 6 and 7 regarding the requirements of CEQA and quality of life impacts and eminent domain.

I137-14

See Response to Comment I011-13 regarding Cost

Safety and secrity procedures will be described in detail in upcoming documents.

I137-15

See Response to Comment I011-13.

I137-16

Comment acknowledged. The Authority will comply with all applicable laws and regulations in the bidding and hiring process for construction of the HST system.

I137-17

See Standard Responses 3 and 6.

I137-18

We appreciate this comment on the public relations effort and will consider it as the Authority continues its efforts on the high-speed train system.

I137-19

Comment acknowledged. Project-level design and environmental review will provide the type of detailed information that the commenter requests. At the program level, the Authority believes the Program EIR is sufficient for identifying the broad choices and tradeoffs involved in making a general decision on an alignment connecting the Bay Area to the Central Valley.

Comment Letter I138 (Keith Ferrell, April 26, 2010)

I138

Kris Livingston

From: Keith Ferrell [ferrell.keith@gmail.com]
Sent: Monday, April 26, 2010 11:32 AM
To: HSR Comments
Subject: A few comments/questions

We live in Palo Alto, and have a few concerns regarding the planned HSR.

1) The EIR is very vague in terms of impacts to the neighboring areas. For example, when it talks about environmental impacts, it only classifies them into general categories. High, Low, etc... I expect to be provided with the exact decibel levels, amount of vibration, visual impact of all of the different options at varying distances, not the huge range that was given. I138-1

I would like to know exactly how CAHSR plans to obtain any land necessary when the ROW is not sufficient. How many houses, which houses, how much land, etc... I138-2

2) How will HSR SPECIFICALLY impact Alma Street? Would like to see those impacts spelled out for both the construction time and post construction. I138-3

3) Would like to know SPECIFIC impacts of having a station in the city. I138-4

4) Would like to know SPECIFICALLY where the station will be, not just the options. I138-5

5) Would like to know SPECIFICALLY how HSR, Caltrain and Union Pacific will work together. How does HSR impact Caltrain and Union Pacific? What will the end result look like for the 3 entities? Will we end up with tracks for each entity? I138-6

6) Is HSR legally allowed to give Caltrain money to electrify it's trains? I138-7

7) Why the big push to start on the Peninsula when it has an established train service? Why disrupt the communities, when a section can be built elsewhere to determine it's viability? Build from the central valley to San Jose or LA first. I138-8

These are just a quick list of concerns. These do not include the concerns about supporting the project financially. How can this project get the go ahead when teachers are being laid off, prisoners are being released due to over crowding and the state is essentially in a state of disrepair? Maybe the CAHSR board should go and visit the families of the laid off teachers (for a start) and explain to them how their jobs were cut so that the state could build a train that will save people a couple hours (at most) on their trips through the state, even though we already have sufficient support with the plans and roads. I138-9

Keith Ferrell
Palo Alto, CA

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Response to Letter I138 (Keith Ferrell, April 26, 2010)

I138-1

See Standard Response 2 regarding the tiered EIR process and Standard Response 3 regarding the level of detail for impacts analysis and mitigation in the program-level EIR. Detailed analysis at the project-level EIR/EIS will evaluate noise, vibration, and visual impacts. Feasible mitigation measures will also be discussed at the project-level.

I138-2

See Response to Comment 1136-7.

I138-3

See Response to Comment I138-1.

Additional site-specific analysis of impacts will be conducted for the project-level EIR/EISs.

I138-4

See Standard Response 2 regarding the tiered EIR process and Standard Response 3 regarding the level of detail for impacts analysis and mitigation in the program-level EIR. Detailed analysis at the project-level EIR/EIS will evaluate construction and operational impacts. Feasible mitigation measures will also be discussed at the project-level.

I138-5

See Standard Response 2 regarding the tiered EIR process.

I138-6

Specific operations for the joint operations on the Peninsula are being developed by the Peninsula Rail Program as part of the project-level EIR.

I138-7

See Standard Response 10.

I138-8

Proposition 1A, which contains specific requirements for the HST project, defines the first phase of the HST project to be from Transbay Terminal in San Francisco to Anaheim, via Los Angeles Union Station.

I138-9

Comment acknowledged. The project continues to be pursued because the voters of the State of California approved it in November 2008.

Comment Letter I139 (Lennart R. Flippu, March 16, 2010)

I139

Kris Livingston

From: Len Filppu [lenfilppu@earthlink.net]
Sent: Tuesday, March 16, 2010 7:57 PM
To: HSR Comments
Subject: Bay Area to Central Valley Revised Draft Program EIR Material Comments

Dear High Speed Rail Authority,

I respectfully request that the Program EIR consider the following points:

-- Impact on proposed Public Park inside the commercial and residential development planned for the site currently known as Alma Plaza located approximately at E. Meadow and Alma in Palo Alto, California. The noise and pollution from the high speed rail may seriously interfere with the safety and health of visitors to this Public Park. I139-1

-- Impact on the Public Meeting Room inside the commercial and residential development planned for the site currently known as Alma Plaza located approximately at East Meadow and Alma in Palo Alto, California. The noise and pollution from the high speed rail may seriously interfere with the safety and health of citizens using this Public Meeting Room. I139-2

-- Impact on the health and safety of school children traveling on East Meadow Drive to get to Fairmeadow Elementary School and JLS Middle School in Palo Alto, California. Both of these schools are located on East Meadow Drive, and the construction, noise, pollution, traffic disruption and view of the foothills will no doubt negatively impact the school children and parents who accompany them to and from school. I139-3

Thank you for supplying answers to these points in the Revised Program EIR.

Sincerely,

Lennart R. Filppu
3621 Ramona Circle
Palo Alto, CA 94306

1

Response to Letter I139 (Lennart R. Flippu, March 16, 2010)

I139-1

The 2010 Revised Draft Program EIR Material addresses those topics identified in the final judgment for the Town of Atherton litigation as requiring corrective work under CEQA. Public parks and recreation was not one of those topics. Parks and recreational issues are discussed Chapter 3.16 Section 4(f) and 6(f) Resources (Public Parks and Recreation) of the 2008 Final Program EIR. More detailed analyses related to impacts on recreational resources, including Hayward Square, during construction and operation will be performed during the project-level EIR/EIS analysis when more detailed design and location information will be available. See Chapter 3.4, Noise and Vibration, Chapter 3.2, Air Quality and Global Climate Change, and Chapter 3.9, Aesthetics and Visual Resources, regarding impacts and mitigation strategies. See also Standard Response 3.

I139-2

See Standard Response 5.

I139-3

See Standard Response 5. Site specific noise/vibration, construction, and train operational impacts on sensitive receptors such as schools, will be part of subsequent project-level environmental documents. The Authority will consider the comment as part of the project-level EIR/EIS processes.

Comment Letter I140 (Carolyn M. Frake, April 2, 2010)

I140

Kris Livingston

From: Carolyn Frake [cmfrake@sbcglobal.net]
Sent: Friday, April 02, 2010 2:08 PM
To: HSR Comments
Cc: plandiv.info@cityof.yahoo.com; UNEXPECTED_DATA_AFTER_ADDRESS@.SYNTAX-ERROR
Subject: NO to high speed rail

Do not go forward with the HSR plan. Too many state services are being cut back, almost dangerously, for a new huge and costly program to be started. I140-1

To get us out of our cars, better van, shuttle, and bus services could be much more effective and much cheaper. Most trips are short ones. Think of the jobs! I140-2

If HSR is ever begun, it should end in San Jose. SF is a dead end geographically, and has a smaller population than SJ. From San Jose, growth will necessarily be to the north and east, and a train could be extended more readily. How do you extend a railway from SF? I140-3

Peninsula real estate must already have been negatively affected by this plan. Imagine the intrusion. And untold future costs in compensation. I140-4

Don't do this!

Carolyn M. Frake 1700 Sand Hill Rd. #303 Palo Alto

1

Response to Letter I140 (Carolyn M. Frake, April 2, 2010)

I140-1

Comment acknowledged.

I140-2

The HST is being designed to address is to accommodate the growth foreseen throughout the State of California in the coming decades. The analysis in the statewide Program EIR demonstrated that a HST project would cost less than expanding freeways and airports while providing better service. The vehicles that your comment suggests could substitute for the HST project would travel at an average speed about a third of a HST. They would be subject to congestion on the highways and would not provide the comfort and amenities of the HST. See Statewide Program EIR/EIS (ceritified November 2005).

I140-3

Comment acknowledged.

I140-4

See Standard Response 6 regarding property values.

Comment Letter I141 (Tracy Ferrell, April 8, 2010)

I141

Kris Livingston

From: Tracy Ferrell [ferrell.tracy@gmail.com]
Sent: Thursday, April 08, 2010 8:05 AM
To: HSR Comments
Subject: Re: Bay Area to Central Valley Revised Draft Program EIR Material Comments

In complete email sent below.

On Thu, Apr 8, 2010 at 8:01 AM, Tracy Ferrell <ferrell.tracy@gmail.com> wrote:
Sir,

I think the EIR is not accurate in its deductions in several areas:

In general:

- Chapter 2 - Page 2 to 4: "To determine potential property impacts, the land uses within 50 ft of either side of the existing corridor or within 50 ft of both sides of the centerline for new HST alignments were characterized by type and density of development." I don not agree with the 50ft limit. With the height of a raised train including the wires, 50 ft is not sufficient. the impact should be moved to 200ft which is approxiamrewly two blocks in the more denslely poplulated neighborhoods. Two blocks on either side of the track lcoation should be considered and that area shoudl be studied for noise, vibration and visual impact. I141-1

In particular:

- Chapter 6. Page 6.15, Table 6 - 7: the aesthetic and visual resources are grossly understated. Fron the Business Plan 2009 documents which assume that 61 out of 65 grade crossings will be elevated between SF to SJ. These sepeations are listed at 21', which would not be high enough, but if we assume 21', the aesthetic and visual impacts should be rated as 'High' I141-2
- Chapter 6. Page 6.14, Table 6 - 7: "To the extent that grade separation of the HST system would also separate the UPRR line". Please clarify how many grade sepearation are anticpiated to the UPRR line. If we us the 2009 business plan, there would only be 4 which contradictions the other grade seperation sof 61 of 65 from the above commnet.. I141-3
- Chapter 6. Page 6.2 Please explain the dumbarton to San Jose as beintg "Low".
- Chapter 7. Page 7.17. "Ridership and Revenue". these nubmers should be peer reviewed. until they are this EIR is not valid. I141-4

Thank you for your time and consideration.
Tracy

--
Tracy Ferrell
1545 Escobita Ave
Palo Alto, CA 94306
1-650-714-4481
ferrell.tracy@gmail.com

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--
Tracy Ferrell
1-650-714-4481
ferrell.tracy@gmail.com

2

Response to Letter I141 (Tracy Ferrell, April 8, 2010)

I141-1

Chapter 2.2, Revised Land Use Analysis: San Jose to Gilroy, in the Revised Draft Program EIR Material and Chapter 3.7 of the May 2008 Final Program EIR discus the analysis of land use impacts. To determine potential property impacts, the land uses within 50 ft of either side of the existing corridor or within 50 ft of both sides of the centerline for new HST alignments were characterized by type and density of development. The study area for land use compatibility, communities and neighborhoods, and environmental justice is 0.25-mile on either side of the centerline of the rail and highway corridors included in the alignment alternatives and the same distance around station location options and other potential HST-related facilities. This is the extent of area where the alignment alternative might result in changes to land use; the type, density, or patterns of development; or socioeconomic conditions. For the property impacts analysis, the study area is narrower as noted above o better represent the properties most likely to be affected by the improvements in the alignment alternatives. As noted in Chapter 3 of the May 2008 Final Program EIR, varying study area widths were used for noise/vibration, biological resources and wetlands, cultural resources, visual, and parks and recreation.

I141-2

The visual impact analysis in Chapter 3.9 of the 2008 Final Program EIR discussed the project as defined in that document. It considered the relative impacts along the entire Caltrain corridor. The visual analysis does not reflect statements made in the 2009 Business Plan.

I141-3

The Authority does not understand the comment.

I141-4

The "Low" rating given to the Dumbarton-San Jose subsegment of the Caltrain Corridor reflects visual impacts for the entire Caltrain corridor, not specific locations. The rating considers that the project is expanding an existing use. The Program EIR depicts HST running in a combination of at-grade and retained fill along most of the Caltrain corridor. This is shown in Appendix 2D, Sheet CC 4 of 6. The addition of the HST facilities are completely within the existing Caltrain right-of-way at most locations. It considers that trees outside the right-of-way would not be removed, although some trimming would be required for vegetation intruding on the right-of-way. The trees along the right-of-way would work to screen the visual impact and noise from the project, including any potential soundwalls. These factors combine for a "low" overall rating for the Dumbarton-San Jose subsegment. The project-level EIR/EIS would make a more detailed assessment of all impacts, including grade separations.

Comment Letter I142 (Annette Glanckopf, April 21, 2010)

I142

Kris Livingston

From: Annette Glanckopf Ashton [ashtonannette@gmail.com]
Sent: Wednesday, April 21, 2010 9:27 PM
To: HSR Comments
Cc: annette_g@att.net
Subject: Comment on Draft EIR for HSR

To whom it may concern:

I am a Palo Alto resident **opposed** to the peninsula segment of the rail and think it will negatively impact Palo Alto and the surrounding communities. I142-1

1) We need a solid transportation strategy for all modes of transportation. We do not need 10-15 different companies competing against each other for right of ways and funding. I think a stragey should be developed to create one transportation commission for the state, and then fund a strategic plan. I142-2

2) Although the voters approved HSR, they did so in concept only. Details about the route, funding and strategies were not available. This issue of the route between San Jose and San Francisco should be back on a ballot, now that facts are available. I believe a HSR link between San Jose and San Francisco is unnecessary. I142-3

3) **The estimated ridership is severely flawed**, especially since workers are increasingly telecommuting and teleconferencing. Most of the traffic between San Jose and San Francisco will be local commuters. A second area that is very flawed is the estimated cost per ride. VTA and Caltrain are reducing routes every month and raising rates. The HSR costs per ridership keep changing at every presentation. There is no way that HSR will be any different? If this boondoogle every gets built, this will be another drain on our economy. I142-4

3) FUNDING: All costs have not been taken into account. I do not think we should build HSR - we should improve Caltrain service and not waste precious resources on a project that doesn't have public support <or wouldn't, if back on ballot> I142-5

4) Property Impacts: The cost of eminent domain has not been adequately calculated into the model. Southgate houses and Peers Park will be extraordinarily NEGATIVELY affected. One whole block will be taken away. I142-6

5) CONSTRUCTION: No one has adequately explained where all the construction equipment will go during the long build time. Having this dirt and equipment and work going on for years will be another major impact on Palo Altans. Caltrain service will be significantly impacted during the construction. I142-7

6) Traffic along Alma will be impacted as well in a very negative fashion by all the work in progress. Palo Alto used to be a convenient town to get around in; this construction will slow down one of the major arterials in the city. I142-8

7) The first segment of any route should be to create public transportation for those parts of the state that do not have current public options. The route should start in San Jose and go south to Los Angeles. I142-9

8) There has not been enough public outreach for our communities. The last meeting in this area in San Jose, only a fraction of the folks who wanted to speak where given an opportunity before the meeting adjourned. I142-10

9) ROUTE: The wrong route down the bay was chosen, I believe for political means, not actual facts. I would like to see this be revisited, I142-11

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10) I live a few blocks from the train tracks. A raised structure would be visually unacceptable and would separate Palo Alto into east and west. Having a raised structure would be visual blight in Palo Alto, and would tower over homes for blocks on either side of the structure. This would devastate real estate prices. I142-12

11) NOISE/VIBRATION: I currently can hear the trains whizz by. The estimated number of trains (one every three minutes, or one in each direction every six minutes) would be extremely noisy. This would ruin time outside in the yard or social events. The non-stop noise during the construction will be absolutely horrible. Talk about negative impacts. Again it isn't worth it. I142-13

12) Funding: Another area that is flawed is the estimated cost per ride. VTA and Caltrain are reducing routes every month and raising rates. I142-14

13) Historic: The Palo Alto landmark - Old Palo Alto tree will die if HSR comes through Palo Alto. I142-15

14) I suggest that the entire HSR board be replaced and another group with reporting responsibility to the Assembly and Senate be constituted. Criteria for selection should be technical and project management skills....not past politicians. I142-16

15) Palo Alto station: NO NO NO. Palo Altans do not want or need a station in our city. We do not have the real estate. We do not have the parking. This huge land grab would really destroy the downtown.
I would be happy to go to Redwood City or Mt View, if I ever wanted to use the train. I142-17

16) I object to looking at technology from other countries. Let's buy American and use/invent newer and improved technologies. Most countries that have high speed rail have had them in place for a decade - France, Spain, Japan. I142-18

Annette Glanckopf
2747 Bryant Street
Palo Alto, ca 94306

2

Response to Letter I142 (Annette Glanckopf, April 21, 2010)

I142-1

Comment acknowledged.

I142-2

The commenter expresses a desire to have one transportation commission to oversee all modes of transportation in the state. While the Authority has worked closely with other transportation providers in the study area, commenters suggestion is outside the scope of this environmental process.

I142-3

Comment acknowledged. The 2008 Final Program EIR includes evaluation of both Altamont and Pacheco network alternatives that would stop in San Jose.

I142-4

We disagree that the ridership forecasts are flawed in light of future potential increases in telecommuting. The ridership and revenue forecasts used in the 2010 Revised Program EIR rely on official population and employment forecasts developed by the California Department of Finance and regional planning agencies throughout the state. The forecasts assume continuation of current trends regarding telecommuting, fuel costs and similar factors that influence people's desire and willingness to travel. Although ridership and revenue sensitivity tests were developed to understand the potential effects of changes in these factors, the "most likely" future scenario, based on continuation of current trends, was used for the Program EIR rather than speculative changes in some variables. The comment about flaws in the costs per ride appears to be a comment on the Authority's Business Plan or other public information, rather than a comment on the Program EIR.

I142-5

See Response to Comment I011-13.

I142-6

The Authority has sought to utilize existing transportation corridors, like the Caltrain corridor, to the greatest extent feasible in order to minimize environmental impacts and property acquisition needs related to the project.

In addition, project-level studies will include a detailed assessment of potential disruption to businesses and communities during project construction, evaluation of construction phasing and staging needs and impacts, and detailed mitigation plans to address impacts of construction on traffic, circulation, and property access. Such detailed assessments can only be provided when additional design and engineering detail is developed for the project-level studies. Also see Standard response 7 regarding eminent domain.

I142-7

See Response to Comment 1052-5 regarding construction. The contractor would be required to store equipment overnight, likely within a secured staging area.

I142-8

The traffic disruptions due to construction will be temporary. Permanent and temporary potential traffic impacts due to the project will be evaluated at the project-level EIR/EIS. Changes in traffic volumes on regional roadways that result from project construction and effect of the changed traffic volumes on operations of roadways and critical intersections will be evaluated. Once in service, CAHST is projected to attract some long-distance trips from major roadways thereby leading to an overall improvement in traffic conditions in the region.

I142-9

The Authority disagrees with the commenter's statement. See Standard Response 10 regarding route alternatives.

I142-10

The 2010 Revised Draft Program EIR Material addresses those topics identified in the final judgment for the Town of Atherton litigation as requiring corrective work under CEQA. Outreach was not one of those topics. Please see Chapter 10, Public and Agency Involvement, in the 2008 Final Program EIR. The scoping activities for the Bay Area to Central Valley HST Draft Program EIR/EIS were conducted between November 15 and December 16, 2005 and included meetings in San Jose, San Francisco and four other cities. The Authority held a total of eight public hearings, including in San Jose and San Francisco to present the Draft Program EIR/EIS and to receive public comments between August 23, 2007 and September 26, 2007.

The Authority has endeavored to provide the broadest possible notice of the 2010 Revised Draft Program EIR Material. Notification was provided in 8 newspapers including the San Francisco Examiner and San Jose Mercury News. A Notice of Availability and Notice of a Public Meeting postcard was further distributed to over 50,000 individuals identified as part of on-going project-level engineering and environmental studies. The Revised Draft Program EIR Material and a Notice of Availability and of a Public Meetings was also made available to 16 libraries for public viewing. Two public meetings were held on April 7, 2010 in San Jose on the Revised Draft Program EIR. Both of these meetings did not end until everyone had the ability to speak. If the Authority proceeds with a network alternative that involves Palo Alto at the project level, the Authority will continue its efforts at public outreach in the area.

I142-11

Comment acknowledged.

I142-12

The 2008 Final Program EIR depicts HST running in a combination of at-grade and retained fill through Palo Alto. This is shown in Appendix 2D, Sheet CC 4 of 6. The height of the fill varies from 7 to 15 feet. This is well within the range of the height of typical homes in Palo Alto and would not tower over them. A detailed impacts analysis of the HST will be undertaken as part of project level engineering and environmental analyses. Operational, construction, and maintenance impacts can be addressed as part of a project-level EIR/EIS. Specific locations and the scale of impacts can be further examined at the project level because they are a product of the HST system design, and the detail necessary to identify the presence of the impact, the level of significance, and mitigation can only be done at the project level.

I142-13

See Standard Response 3.

More detailed information and analysis of noise impacts and mitigation will be included in project-level EIR/EISs. The noise analysis at the project-level will include impacts to residential outdoor use areas. Both construction-period and long-term operational noise impacts will be evaluated.

I142-14

The ridership forecasts used in the Program EIR were based on assumptions about the future cost of HST travel in comparison to auto and air travel costs. The Program EIR does not identify information about ticket prices. This comment appears to address the Authority's Business Plan or other public information, rather than the Program EIR. See Standard Responses 4 and 8.

I142-15

El Palo Alto, the old Palo Alto tree, has lived next to the railway since 1863, with the current double-track configuration in place since 1904. The HST tracks depicted in the 2008 Final Program EIR run to the west of the existing tracks, further from El Palo Alto than the existing tracks. As the tree is a historic site, analysis will be undertaken in the project-level EIR/EIS to determine the design and mitigation to make sure the tree is not damaged by the HST.

I142-16

Comment acknowledged.

I142-17

Comments acknowledged.

I142-18

Comments acknowledged.

Comment Letter I143 (Anjan Ghose, April 25, 2010)

I143

Kris Livingston

From: Anjan Ghose [anjanghose@yahoo.com]
Sent: Sunday, April 25, 2010 9:44 AM
To: HSR Comments
Cc: AnjanGhose@yahoo.com
Subject: Comments on revised program EIR
Attachments: HSR_EIR_comments.docx

Please find enclosed my comments on this topic.

Comments on the revised Program EIR for HSR

I have the following concerns that must be addressed. The concerns should be addressed using hard historical data, from other places where similar work has been performed, and not just a subjective assessment, as has been mostly the case so far. I143-1

Plans for mitigating general noise and dust during construction:

Residents close to the proposed tracks will suffer from the effects of increased dust, particles and construction noise. What are the agency's plans of dealing with people who start losing their health due to the disturbance of a prolonged period of construction work? I143-2

Plans for mitigating vibration noise:

What effects will the vibration of faster and more frequent trains have on the houses close to the tracks? How will the vibration affect people's health? Do the foundation of homes weaken due to these impacts? I143-3

Plans for mitigating view degradation:

An above-grade structure will cause serious, permanent damage to the natural view that city residents have been used to for years. The only way to avoid this is to use a tunnel or trench option. If an above-grade option is chosen, it will require a sound wall, that degrades the view. In other words, you cannot mitigate both the noise and the view unless you use a below ground option, so please consider this option carefully. I143-4

Plans for mitigating greenery degradation:

Currently, the train is well hidden from view to resident living close to it, due to mature vegetation along the tracks. Due to the new construction, we may lose a significant part of it. In addition, the above grade option would make the train conspicuous, degrading view. What plans does HSR have to deal with the problem? I143-5

Plans for mitigating loss of homeowner property values:

Homeowners living close to the tracks have already lost significant property values. If the train is close to the home, but is not eligible for eminent domain, what recourse does the owner have if he can prove that the additional noise/pollution/vibration is adversely affecting his health? It is likely that homes that are adjacent to the tracks may not be livable, based on EPA measures on noise levels. These properties should be purchased by HSR using a cost appraisal that negates the reduction in market value due to the train. In other words, if areas away from tracks have reduced by 10% since Prop 1 was passed, but areas near tracks have reduced 20%, then only the 10% reduction is considered in the appraisal. The HSR authority should set aside money to purchase these properties. I143-6

Thank You,

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Comment Letter I143 - Continued

Anjan Ghose

4119 Park Blvd.

Palo alto, CA 94306

Response to Letter I143 (Anjan Ghose, April 25, 2010)

I143-1

Comment acknowledged. The comment is introductory in nature and no response is necessary.

I143-2

See Response to Comment 1052-5 regarding construction.

I143-3

See Standard Response 3.

More detailed information and analysis of nosie and vibration impacts and mitigation will be included in project-level EIR/EISs.

I143-4

Comment acknowledged. The Authority Board committed in July 2008 to investigate profile alternatives to avoid and minimize potential impacts, including trench, tunnel, aerial, and at-grade between San Francisco and San Jose. Although the Authority has rescinded its July 2008 program decision, the commitment to examine profile alternatives has been carried forward into the project level alternatives screening. Greater detail about tunnel and trench options being considered in preliminary alternatives screening for project-level environmental documents can be found on the Authority's website. See also Standard Response 3.

I143-5

The 2008 Final Program EIR assumed that Caltrain and HST would remain within the existing right-of-way at most locations, meaning that trees outside the right-of-way would not be removed, although some trimming would be required for vegetation intruding on the right-of-way. If there is a need to acquire adjacent properties for locations where the current Caltrain right-of-way is not wide enough to accommodate the addition of HST, replacement landscaping could likely be established outside the area required for rail operations. This landscaping could replace that removed for the project. In locations where existing trees exist on the Caltrain right-of-way, design and engineering undertaken as part of the project-level EIR/EIS can determine if they are located where they cause no interference with the future rail operations.

I143-6

See Standard Response 6 regarding property values.

Comment Letter I144 (Michael Goldeen, April 5, 2010)

I144

MICHAEL GOLDEEN
2350 Tasso Street, Palo Alto, CA 94301-4139
Phone 650-391-7247 • e-mail <michael@goldeen.com>

5th April 2010

California High-Speed Rail Authority
ATTN: Dan Leavitt
925 L Street, Suite 1425
Sacramento, CA 95814

RE: Bay Area to Central Valley Revised
Draft Program EIR, Material Comments

Dear Mr. Leavitt,

I've always doubted the usefulness of high speed rail for California. Now, the more I learn, the more I become convinced that we voters have been duped by over-eager proponents using impossible ridership projections[1], and insufficient income projections and cost allowances into approving a doomed project. I144-1

To put matters bluntly unless the project as proposed is put in a tunnel at least from the southeastern borders of Mountain View to its terminal in the City of San Francisco, it is bound to have a serious negative impact on the social environment all along the line both during its construction and its operation as planned. I144-2

Leaving aside the environmental damage done during construction, which is transitory, a wall, as now proposed, will divide communities and attract trash, physical trash of the kind which must be swept up and carted off, and human trash which may not. I144-3

The squeal of unsteerable train tires on even the slightest curve, and turbulence in the wake of every passing train will destroy peace and quiet in neighborhoods for a half mile on either side. I144-4

Furthermore if the line follows its currently proposed course, it will destroy El Palo Alto, which now still stands in living memory of history to which we owe our presence. I144-5

On a larger scale, the project's construction and operating subsidy costs mandate diversion of much needed moneys from places where they could be better spent. All this only to end up providing luxury transport to the privileged few to the dead-end, which is San Francisco, at a more than questionable ecological benefit. I144-6

Airplanes which cause both minimal social and environmental impact now operate with a minimum of subsidy. Adequate service is already on hand. I144-7

Although electric trains do not actively add to our carbon dioxide burden, when they run on the surface at least, the acreage their tracks cover no longer sequesters any carbon. The damage of one form of transport may be offset by the loss of cure posed by the other. No report I've seen is willing to take this difference into account. Nor does any report I've seen take into account that the currently accepted Climate Change Studies have not been vetted for reliability in a truly open forum. Especially since recent evidence indicates they may have been hijacked by a group of so-called "scientists" with an agenda to Save the Earth.[2] I144-8

[1] See attached comparison chart.
[2] <http://www.john-daly.com/hockey/hockey.htm>

If the project is a financial disaster, as is all too likely, but is too big to let fail, as is also all too likely, its damage to our social environment will spread at who knows what cost across the whole State. It's time to stop this juggernaut before it starts rolling and leaving real damage in its wake. It's time to go new drawing boards with a new team of designers and engineers, which knows how to apply intelligence to the practice of statistics[3]. One which understands that any proposal to be at all acceptable must be openly and honestly vetted in the forum which will finance it. I144-9

It may turn out that a fair and intelligent appraisal of our subsidized transport systems suggests a more limited, less politically attractive project. It may point to a rail service which is neither as ambitious or as rapid, but perhaps more technologically advanced, and which costs less, does far more good, and maybe even earns a fair profit.

It's time to concentrate our limited efforts on transportation projects which recognize unserved needs, and which benefit the whole population. I144-10

Yours truly,

cc: James Keene, City of Palo Alto

encl.; Ridership table

[3] A practice which gives viable answers only when questions are correctly asked.

Comment Letter I144 - Continued

Reference for I144-9

5th April 2010

High Speed Ridership Rail Comparison -- 2009

Service	Passengers/Year - - Millions	- - Population Served
HSR Projection	41.00	33.00
Amtrak Acela-2009	3.02	65.00
Eurostar/London-Paris-Brussels-2009	9.00	???
Amtrak Total (Including Commute Service)-2009	27.00	300.00

N.B. Saturation of available resources dictates that future population growth in California will not resemble past growth.

Response to Letter I144 (Michael Goldeen, April 5, 2010)

I144-1

Comment acknowledged.

I144-2

The Authority disagrees with the commenter's statement. See Standard Response 10 regarding vertical profile alternatives.

I144-3

The Authority Board committed in July 2008 to investigate profile alternatives to avoid and minimize potential impacts, including trench, tunnel, aerial, and at-grade. Although the Authority has rescinded its July 2008 program decision, the commitment to examine profile alternatives has been carried forward into the project level alternatives screening. Greater detail about tunnel and trench options being considered in preliminary alternatives screening for project-level environmental documents can be found on the Authority's website.

Once horizontal and vertical alignments have been designed, the project-level EIR/EIS will consider impacts to community character and cohesion and visual quality.

I144-4

More detailed information and analysis of nosie impacts and mitigation will be included in project-level EIR/EISs. See Standard Responses 3 and 5.

I144-5

El Palo Alto, the old Palo Alto tree, has lived next to the railway since 1863, with the current double-track configuration in place since 1904. The HST tracks depicted in the 2008 Final Program EIR run to the west of the existing tracks, further from El Palo Alto than the existing tracks. As the tree is a historic site, analysis will be undertaken in the project-level EIR/EIS to determine the design and mitigation to make sure the tree is not damaged by the HST.

I144-6

The Authority disagrees with the comment.

I144-7

For equivalent distance trips by air and HST, HST produces significantly less carbon than air travel. The 2005 Statewide Program EIR demonstrated that over 3,000 lane-miles of freeway, along with new airport runways and gates would be needed to be built to provide the same capacity as the HST system proposed for California. The area of land covered by the freeway and airport expansion is much greater than the land that would be covered by the HST project. In both examples, the HST project is superior with regards to the carbon issues the comment cites.

I144-8

The Revised Draft Program EIR Material addresses those topics identified in the final judgment for the Town of Atherton litigation as requiring corrective work under CEQA. Air quality and global climate change was not one of those topics. Refer to Chapter 3.3 of the 2008 Final Program EIR where air quality and global climate change impacts are discussed. More detailed analysis of potential operational, maintenance, and construction air quality impacts will be provided during project-level environmental review, when more detailed information will be available concerning system design and placement. As noted in the 2008 Final Program EIR, the proposed HST system would result in beneficial impacts related to greenhouse gas emissions and global climate change. Any additional carbon entering the atmosphere, whether by emissions from the project itself or by removal of carbon sequestering plants (included agricultural crops), would be more than offset by the beneficial reduction of carbon resulting from the project due to a reduction in automobile vehicle miles traveled (mobile sources) and reduction in the number of airplane trips.

I144-9

The Authority disagrees with the comment. Over 45 years in many countries around the world, HST has repeatedly proven its ability to cover its operating costs and return a profit.

I144-10

Comment acknowledged.

Comment Letter I145 (Janice S. Good, April 22, 2010)

I145

APR 2 9

101 Alma Street, #305
Palo Alto, CA 94301
April 22, 2010

Mr. Dan Leavitt
California High Speed Authority
925 L Street, Suite 1425
Sacramento, CA 95814

Dear Mr. Leavitt,

As you may know, the city of Palo Alto highly treasures its trees both for their beauty and for their important contributions to a healthy environment. We are very much concerned, of course, about the impact of the routing of the proposed high-speed-rail. Where I live, in a one hundred and one unit condominium facing Alma Street in North Palo Alto, a row of very tall, stately trees edges our garden along Alma. They are so important to the composition of this exquisitely beautiful garden that we would hate to see them damaged in any way. Our entry driveway off Alma Street is essential to our coming and going. And a few yards to the north of us stands historic El Palo Alto, the one thousand and seventy-year-old redwood tree after which our city was named. We hope that the California High Speed Authority will be aware of such neighborhood concerns as these as it works out its routing. I145-1

Sincerely,

Janice Good

Janice S. Good

Response to Letter I145 (Janice S. Good, April 22, 2010)

I145-1

In the vicinity of this address, the HST tracks depicted in the 2008 Final Program EIR run to the west of the existing tracks, which are on the west side of Alma Street. This design should not affect the trees on this property. An analysis of the HST will be undertaken as part of project level engineering and environmental analyses. Operational, construction, and maintenance impacts will be addressed as part of a project-level EIR/EIS. Specific locations and the scale of impacts would be examined at the project level because they are a product of the HST system design, and the detail necessary to identify the presence of the impact, the level of significance, and mitigation can only be done at the project level.

El Palo Alto, the old Palo Alto tree, has lived next to the railway since 1863, with the current double-track configuration in place since 1904. The HST tracks depicted in the 2008 Final Program EIR run to the west of the existing tracks, further from El Palo Alto than the existing tracks. As the tree is a historic site, analysis will be undertaken in the project-level EIR/EIS to determine the design and mitigation to make sure the tree is not damaged by the HST.

Comment Letter I146 (Karen Holman, April 26, 2010)

I146

Kris Livingston

From: Karen Holman [kcholman@sbcglobal.net]
Sent: Monday, April 26, 2010 4:47 PM
To: HSR Comments
Cc: Karen Holman
Subject: Bay Area to Central Valley Revised Draft Program EIR Material Comments

Comments on Revised Draft Program EIR

Dan Leavitt
California High-Speed Rail Authority

1) The report fails to adequately address the cumulative negative environmental impacts on the environment to the supposed positive environmental effects for the length of the Peninsula: I146-1

- construction activities (including but not limited to materials manufacture, transport, energy used during construction, landfill, salvage, recycling, hauling), I146-2
- cut, impact on new location, transport of cut, I146-3
- demolition of or negative impacts on irreplaceable cultural/historic and natural resources for which there is no mitigation (See list is City of Palo Alto comments as example), I146-4
- extra vehicle miles traveled by re-routing of vehicle traffic during nd post project (depending on grade, below grade, trench scenario) I146-5
- adequate demonstration of ridership I146-6

2) The report fails to adequately address a hybrid solution utilizing the existing Caltrain tracks, aka a three track solution I146-7

3) Compatibility: The report fails to adequately consider that development near highways and rail routes varies in density and intensity, thus the impacts cannot be considered as compatible in a wholesale manner. I146-8

Karen Holman
Palo Alto

1

Response to Letter I146 (Karen Holman, April 26, 2010)

I146-1

The Authority disagrees. The 2010 Revised Draft Program EIR Material addresses those topics identified in the final judgment for the Town of Atherton litigation as requiring corrective work under CEQA. Cumulative impacts was not one of those topics. Cumulative impacts were considered in Chapter 3.17 of the May 2008 Final Program EIR. A list of detailed projects and plans used in the analysis are listed and discussed in Appendix 3.17-A. A definition of cumulative impacts per CEQA and NEPA is included in Chapter 3.17. Sufficient detail is provided for this program-level analysis, and further analysis will be included in the project-level environmental analyses, when more detailed engineering, design, and location information will be available for the HST system and when future projects can be considered in more detail.

I146-2

See Response to Comment 1052-5 regarding construction.

I146-3

The programmatic level of detail in the May 2008 Program EIR/EIS and the Revised Draft Program EIR Material is intended to be commensurate with the programmatic nature of the decisions under consideration. Engineering of the alternatives has not progressed far enough to allow an analysis of the cut and fill requirements for the alternatives. More detailed analysis of site-specific environmental impacts and mitigation measures for a more detailed project (selection of specific HST track placement alternative, selection of specific station locations) will be considered in in subsequent project-level EIR/EISs.

I146-4

See Standard Response 2 regarding the tiered EIR process and Standard Response 3 regarding the level of detail for impacts analysis and mitigation in the program-level EIR. Detailed analysis at the project-level EIR/EIS will evaluate impacts to specific cultural, historical, and natural resources. Feasible mitigation measures will also be discussed at the project-level.

I146-5

All HST tracks will be grade separated; therefore, the alignment itself will not lead to re-routing of traffic except in the construction phase or due to road closures, which are few in number. The impacts due to traffic accessing HST stations will be analyzed and presented in the project-level EIR/EIS. Potential changes in traffic volumes on regional roadways that result from project construction and effect of the changed traffic volumes on operations of roadways and critical intersections will be evaluated at this stage.

I146-6

Comment acknowledged. See Standard Response 4.

I146-7

See Response to Comment I195-1.

I146-8

Because this is a program-level document, the analysis considered the potential for land use and planning impacts on a broad scale. Potential project-level impacts on existing and future land use, planning and development will be addressed in the project-level EIR/EIS.

Comment Letter I147 (Carolyn Jo Horne, April 6, 2010)

I147

Carolyn Jo Horne
4249 Park Blvd.
Palo Alto, CA 94306
650-858-1464
April 6, 2010

Mr. Dan Leavitt
California High Speed Rail Authority
925 L Street #1425
Sacramento, CA 95814
916-324-1541

RE:Comments on Bay Area to Central Valley Revised Draft Program EIR with Carbon copy sent to Palo Alto City Council members

Dear Mr. Leavitt and the California High Speed Rail Authority:

This letter is to comment on the Draft Program Level Environmental Impact Report (EIR) prepared on the Authority's proposed routing of the High Speed Rail system in the San Francisco Bay Area. The Authority's proposed project routing through Palo Alto and through the San Francisco Bay Area Peninsula would have extremely significant and detrimental impacts on the San Francisco Peninsula. Severe impacts that cannot be mitigated would be experienced by me, my family, my neighborhood and by the natural environment. These impacts include but are not limited to noise and vibration impacts, dust, dirt, construction impacts, view impacts, business impacts impacts on trees and vegetation, impacts on wild animals and increased public safety dangers. Many of these impacts could be eliminated or vastly reduced by choosing a different routing solution. I147-1

I live "on the caltrain railroad tracks" at 4249 Park Blvd, Palo Alto, CA 94306. The damage heavy construction would do to my home is so severe I do not believe it is possible to "mitigate" it. Eminent domain will not give me the amount of money my home is worth to me. The proposed route through the middle of the San Francisco Bay Peninsula would drive homeowners from their homes. Many of us have worked our entire lives to buy our home in Palo Alto. The proposed HSR route through the middle of our homes & town would destroy my home and my way of life. I147-2

I believe the law requires the HSR Authority to do a more thorough investigation of routing alternatives. You have dismissed without adequate analysis the use of exisiting right of ways along Highway 101 and Interstate 280. When people voted for this project they did not lunderstand you would push this peninsula route exclusively. We thought the Altamont Pass Route and Altamont Alignment to Highway 101 would be the route chosen. Other possible options include ending the HSR train in San Jose. Finally there is the NO BUILD OPTION . If the HSR Authority is not going to seriously consider alternative routes for its project, I recommend eliminating funding for the project and using the NO BUILD OPTION. The law requires you to identify ways to eliminate or mitigate the undeniable impacts of the project and to do this to greatest degree feasible. I147-3 I147-4

Carolyn Jo Horne →

RE: Comments on Bay Area to Central Valley Revised Draft Program EIR HSR Plan, continued

I request that you revise the Draft EIR and recirculate a Revised Draft EIR for further review and comment by the public. The revised Draft should study the following alternative routes. Altamont Alignment to Highway 101; Ending the High Speed Train in San Jose; Highway 101 corridor; Highway 280 corridor; NO BUILD OPTION should bu used if the Authority is not willing to work with the public. Please DO NOT BUILD YOUR HSR TRAIN through the middle of my home and my neighborhood and my city. I147-5

Thank you for taking my comments and concerns into account as the California Environmental Quality Act (CEQA) requires. Remember one letter one vote. Please listen to what the public is saying. We do not want your HSR train running through our community. I147-6

Sincerely

Carolyn Jo Horne

Carolyn Jo Horne

Cc: Palo Alto City Council Members, Senator Joe Simitian, Senator Barabara Boxer Senator Diane Feinstein, President Barack Obama, Anna Eshoo, Arnold Schwarzenegger, Ira Ruskin, Diane Harkey

Response to Letter I147 (Carolyn Jo Horne, April 6, 2010)

I147-1

The Authority disagrees with the commenter's statement. See Standard Response 10 regarding route alternatives.

I147-2

Comment acknowledged. The Authority has sought to utilize existing transportation corridors to the greatest extent feasible to minimize environmental impacts. Aligning the HST system with existing transportation corridors also presents opportunities to minimize the need for private property acquisitions in some areas. Specific property that may be necessary to implement a particular project level alignment alternative will be addressed during the project-level environmental process.

Additional site-specific analysis of potential impacts to individual properties and to community character will be conducted for the project-level EIR/EISs.

I147-3

The California High Speed Rail Authority certified the the Bay Area to Central Valley HST Program EIR/EIS in accordance with CEQA on July 9, 2008. The document described the Program alignment, from San Francisco down the Caltrain right-of-way to San Jose and then south to the Pacheco Pass. This material was available prior to the election in November 2008.

I147-4

Comment noted. The 2010 Revised Final Program EIR Material includes mitigation strategies that will be refined and applied at the project-EIR level to avoid and minimize impacts to the greatest extent feasible.

I147-5

The Authority has revised and recirculated certain portions of the May 2008 Final Program EIR as the 2010 Revised Draft Program EIR Material. The purpose of the recirculated material is to comply with the final judgment of the Town of Atherton litigation. The Authority does not believe that additional revision and recirculation is necessary to fully comply with the court judgment and CEQA. See also Standard Response 10 regarding alternatives.

I147-6

Comment acknowledged.

Comment Letter I148 (Lindsay and Ken Joye, April 26, 2010)

I148

Kris Livingston

From: Lindsay Joye [ljoye@pacbell.net]
Sent: Monday, April 26, 2010 6:57 PM
To: HSR Comments
Cc: info@carrdnet.org; Plandiv.info@cityofpaloalto.org
Subject: HSR Bay Area to Central Valley Revised Draft Program-Level EIR Material Comments
Attachments: Joye comments on Final Program EIR Bay Area to Central Valley.doc

We've attached our comments on the Program EIR for the Bay Area to Central Valley section of the Program EIR.
Ken & Lindsay Joye
3793 Park Blvd.
Palo Alto, CA 94306

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Final Program EIR/EIS for the Bay Area to Central Valley Portion of the California HST System

Exhibit A: CEQA Findings June 2008 PDF

CH 4. **FINDINGS ON SPECIFIC IMPACTS AND MITIGATION STRATEGIES**

1. PAGE 13, **Air Quality**, Impact 3, Short-term Air Quality Impacts due to Construction, Mitigation #12: "Turn off construction equipment during prolonged periods of non-use." Need to specify idling time. Caltrain has abused this in past >25 hours! I148-1
2. PAGE 14, **Noise and Vibration**, Table 4-4, Noise and Vibration Impact Summary: Between Dumbarton & SJ: medium noise and high vibration: Is 1,000 feet adequate distance for elevated sections with all train types? Table shows there are no public schools but doesn't include private day care and preschools (I know of at least 2 on Park Blvd. adjacent to tracks in Palo Alto). Include all facility usage types that are sensitive to noise & vibration: parks, private schools, preschools, daycare facilities, art studios, religious/spiritual facilities, yoga studios, disabled service providers, counseling offices. I148-2
3. PAGE 16, **Noise and Vibration**, Impact 1, Increased Noise from Train Operation and Construction, Mitigation #6: "Suspend construction between 7:00 pm and 7:00 am and/or on weekends or holidays in residential areas where there are severe noise impacts." Must also include Caltrain and freight operation and maintenance. I148-3
4. PAGE 16, **Noise and Vibration**, Impact 1, Increased Noise from Train Operation and Construction, Mitigation #10: 'Turn off construction equipment during prolonged periods of non-use." Need to define maximum minutes for idling. I148-4
5. PAGE 18, **Energy**, Impact 1, add to Mitigation Strategies: Require all construction equipment to be supplied by biodiesel, CNG or electric vehicle where possible. Purchase renewable energy or renewable energy credits to mitigate carbon impacts of the increased energy demand of HSR. I148-5
6. PAGE 22, **Land Use Impacts**, Impact 1: "Overall, based on the analysis below, and considering the design practices, the Preferred Alternative has a high or medium land use compatibility along its entire length, there would be little or no community cohesion impacts, and property impacts are deemed low." – Strongly disagree that community cohesion is not impacted. An elevated wall dividing SF-SJ is a huge visual barrier impacting views, daylight, and compatibility with residential life. For example, look at the huge impacts made by the removal of SF's Central Freeway and Embarcadero freeway structures and the many benefits to surrounding neighborhood (view, noise and daylight). I148-6
7. PAGE 30, **Aesthetics and Visual Resources**, Table 4-6 Visual Impacts Summary Table, Dumbarton to San Jose: Visual impact ranking and Alignment Visual Impact ranking should be HIGH for elevated sections. I148-7

Lindsay & Ken Joye
3793 Park Blvd. (adjacent to Caltrain ROW), Palo Alto, CA 94306

Page 1 of 3

Comment Letter I148 - Continued

Final Program EIR/EIS for the Bay Area to Central Valley Portion of the California HST System

ADDENDUM/ERRATA to Final Program EIR/EIS for the Bay Area to Central Valley Portion of the California HST System PDF

1. PAGE 3.17-14, Section C. **NOISE AND VIBRATION**:"The study area for the cumulative analysis of noise and vibration was identified to be within 1,000 ft (305 m) of the HST Network Alternatives." Is 1,000 sufficient with elevated tracks serving freight, Caltrain and HSR? I148-8

Lindsay & Ken Joye
3793 Park Blvd. (adjacent to Caltrain ROW), Palo Alto, CA 94306

Response to Letter I148 (Lindsay and Ken Joye, April 26, 2010)

I148-1

The Revised Draft Program EIR Material addresses those topics identified in the final judgment for the Town of Atherton litigation as requiring corrective work under CEQA. Air quality and global climate change was not one of those topics. Refer to Chapter 3.3 of the 2008 Final Program EIR where air quality and global climate change impacts are discussed. More detailed analysis of potential operational, maintenance, and construction air quality impacts will be provided during project-level environmental review, when more detailed information will be available concerning system design and placement. The mitigation strategies identified in the 2008 Final Program EIR including "Minimize equipment idling time" will be further developed as part of project-level analysis and as part of any mitigation monitoring program.

I148-2

More detailed information and analysis of nosie impacts and mitigation will be included in project-level EIR/EISs. For the project-level noise analysis, engineering will be available at enough detail to allow modeling of noise impacts, to the distance where such impacts would occur. Sensitive receivers will be identified as part of this analysis, including residences, schools, parks, and similar facilities. See Standard Responses 3 and 5.

I148-3

The California High Speed Rail Authority does not have the ability to control the operations of either Caltrain or the UPRR, so compelling them to participate in this mitigation is not allowed under CEQA.

I148-4

See Response to Comment I148-2. More detailed information and analysis of nosie impacts and mitigation will be included in project-level EIR/EISs.

I148-5

The Revised Draft Program EIR Material addresses those topics identified in the final judgment for the Town of Atherton litigation as requiring corrective work under CEQA. Energy was not one of those topics. Please see Section 3.5 of the May 2008 Final Program EIR. Specific mitigation measures such as the use of biodiesel, CNG or electric vehicle for construction equipment and purchase of renewable energy or renewable energy credits may be considered in the project-level EIR/EIS.

I148-6

As noted in Chapter 3.7, Land Use, in the 2008 Final Program EIR, the San Francisco to San Jose corridor would be primarily within an existing active commuter and freight rail corridor and therefore would not constitute any new physical or psychological barriers that would divide, disrupt, or isolate neighborhoods, individuals, or community focal points in the corridor. In addition, construction of grade separations where none previously existing would improve circulation between neighborhood areas. The Authority has received a number of comments expressing concern over the impacts of the HST being placed an elevated structure. The Authority is evaluating multiple profile alternatives at the project level including at-grade and below grade alternatives (trench and tunnel) in addition to an aerial profile.

I148-7

The visual impact analysis in Chapter 3.9 of the 2008 Final Program EIR considered the relative impacts along the entire Caltrain corridor. For the majority of the Caltrain corridor, the HST will have a low visual impact. The project-level EIR/EIS, currently underway, will make a more detailed assessment of all impacts, including elevated sections and grade separations.

I148-8

See response to I148-2.

Comment Letter I149 (Helen Stavropoulos Sandoval, April 26, 2010)

I149

Kris Livingston

From: Helen Sandoval [tigerpuppies@earthlink.net]
Sent: Monday, April 26, 2010 3:23 PM
To: HSR Comments
Cc: city.council@cityofpaloalto.org; Senator Simitian
Subject: Program Level EIR

1539 Mariposa Avenue
Palo Alto, CA 94306

26 April 2010

Dan Leavitt
California High-Speed Rail Authority
925 L Street, Suite 1425
Sacramento, CA 95814

RE: Comments on Bay Area to Central Valley Revised Draft Program EIR

Dear Mr. Leavitt and the High Speed Rail Authority:

This letter is to comment on the Draft Program Level Environmental Impact Report (EIR) prepared on the Authority's proposed routing of the system in the San Francisco Bay Area.

I live in Palo Alto California, at the following address 1539 Mariposa Avenue.

The Authority's proposed project design and the routing of the proposed High Speed Train along the CalTrain alignment would cause major and extremely significant impacts to me, my family, my neighborhood, and to the natural environment. I can assure you that I am a "neighborhood expert" with respect to the real impacts of the project you propose, which impacts have not been properly investigated and mitigated as the law requires. I149-1

Here, specifically, are the impacts that I personally know will occur, unless an alternative route is chosen, or unless a deep bore tunnel through Palo Alto and the Peninsula is selected. We encountered many of these same impacts when CalTrain recently upgraded its tracks. We could not sleep at night due to the noise of heavy equipment and personnel along the right of way. Our yard, garage, and home were covered with dust from the work. The vibration of heavy machinery jostled glassware, pottery and other items in our home. While now we can see trees and greenery from our yard and home, any above ground tracks will be seen instead. The pleasant view driving through Palo Alto will be obscured by any above ground tracks. Unfortunately, we have faced several suicides along the tracks in Palo Alto. We fear that any above ground tracks will continue to be an attractive nuisance resulting in more deaths. Palo Alto will be split in two if anything other than a deep bore tunnel is selected. I149-2

I believe the law requires the Authority to do a much better investigation and documentation of the impacts I have described above – and not only in my neighborhood, but in all similar neighborhoods along the alignment you are proposing. Further, the law requires you to identify ways to eliminate or to mitigate these impacts to the greatest degree feasible. You should redesign the project to include measures to achieve that legal requirement, or choose a different alignment or project alternative that will have that effect. I149-3

I request you to revise the Draft EIR you have prepared, to address my concerns, and that you then recirculate such a Revised Draft EIR for further review and comment by the public. Thank you for taking my comments and concerns into account, as the California Environmental Quality Act requires. I149-3 cont.

Yours truly,

Helen Stavropoulos Sandoval

Response to Letter I149 (Helen Stavropoulos Sandoval, April 26, 2010)

I149-1

Comment acknowledged. The May 2008 Final Program EIR identified impacts along the Caltrain corridor and identified mitigation strategies to address the impacts. The current Revised Draft Program EIR Material discloses a higher level of land use impacts than previously anticipated. The Authority will consider adopting mitigation strategies to address significant impacts on the natural environment, communities, and neighborhoods when it makes a new decision.

Comment about being a neighborhood or local expert is acknowledged.

The Authority disagrees that impacts and mitigation measures were not properly investigated. The current Revised Draft Program EIR Material is part of a first-tier, programmatic environmental review process examining the impacts of 21 network alternatives at a broad level of detail.

I149-2

Comment acknowledged. The safety considerations in system design are described in the Chapter 2 of the 2008 Final Program EIR. The HST system will be designed as a fully access controlled guideway with intrusion monitoring systems. In addition, the system will be fully grade separated. Profile variations will be considered as part of project-level environmental review.

I149-3

The Authority disagrees. The current Revised Draft Program EIR Material is part of the Authority's first-tier, programmatic CEQA compliance. The level of detail in the impacts analysis is tailored to the level of detail of the decision under consideration.

The May 2008 Final Program EIR identified general mitigation strategies to avoid or minimize significant environmental impacts. Mitigation strategies are general methods of avoiding and minimizing impacts that can be refined and tailored to project specific circumstances at the next tier of environmental review. The Authority will consider adopting these strategies when it makes a new program-level decision.

The Authority has revised and recirculated certain portions of the May 2008 Final Program EIR as the 2010 Revised Draft Program EIR Material. The purpose of the recirculated material is to comply with the final judgment of the Town of Atherton litigation. The Authority does not believe that additional revision and recirculation is necessary to fully comply with the court judgment and CEQA.

Comment Letter I150 (William J. Jaynes, April 2, 2010)

I150

Kris Livingston

From: DrHug [drhug1@gmail.com]
Sent: Friday, April 02, 2010 1:52 PM
To: HSR Comments
Cc: plandiv.info@cityofpaloalto.org; news@padailypost.com
Subject: Comments on High Speed Rail

Mr. Dan Leavitt
California High Speed Rail Authority
925 L Street
Suite 1425
Sacramento, CA 95814

William J. Jaynes
111 Rinconada Ave.
Palo Alto, CA 94301

April 2, 2010

Dear Mr. Leavitt,

I **oppose** California High Speed Rail for the following reasons:

1. There has been no adequate or satisfactory study of how the quality of life will deteriorate in communities cut in two by the above-ground rail system, how traffic patterns will be adversely affected or what additional costs will be borne by the residents of these cities. I150-1

2. There has been no adequate reason provided why the rail needs to terminate in San Francisco. The business class riders who weigh the rail and air alternatives are the only ones who would need to travel the Peninsula at over 100 miles per hour and I believe a true study would determine that more riders are interested in a San Jose/Santa Clara terminus than a San Francisco terminus. I150-2

3. There has been no information to show how the system will be protected from domestic and international terrorists or shielded to prevent potential suicides along the route. These occurrences (or threats) will divert rider ship drastically and fatally for the system. We can protect airlines fairly well by monitoring the airports. A railroad will be impossible to protect. I150-3

4. There have been exaggerated claims of the number of riders who will use the system. I150-4

5. There has been no consideration for technological innovations and improvements, like high-speed fiber optics cables, that would reduce the need for face-to-face meetings. The sudden appearance of terrestrial cellular phones doomed a multi-billion dollar satellite phone industry (Iridium and Globalstar). Rider ship is likely to fall when people have fewer reasons to travel. I150-5

Page 1 of 2

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Opposition to High Speed Rail, page 2 of 2

6. Cal Train is now proposing massive cuts in its San Jose – San Francisco service and if California cannot fund and support this vital commuter corridor, it will not be able to maintain a high speed rail link either. California faces major funding issues for many years to come and there just will not be the money to either finish or maintain the system. I150-6

7. There will be a much greater need for funding to build and support rail connections within the Bay Area to alleviate congested roads. The expenditures on high speed rail are just plain misplaced. BART extensions to San Jose, Marin and the 680 corridor would provide for the needs of more people, save fuel and reduce harmful emissions into the atmosphere. While BART is still subject to attacks, the affects would be less devastating that a high speed rail disaster. I also suspect that using a BART link between the Financial District and a San Jose terminus would only add a few minutes to the overall transit time. Spend the billions of dollars along the Peninsula on BART. I150-7

Citizens and cities are being told to shut up and accept this high speed rail system without any adequate inputs on the environmental impact reports, without truthful disclosures of where HSR got its facts and information and how valid the information is likely to be, or exactly what property would be taken over to build this system. That might be acceptable in China, but not in California. I150-8

I oppose this High Speed Rail.

Sincerely,

/signed/

William J. Jaynes
Palo Alto, CA

comments@hsr.ca.gov
plandiv.info@cityofpaloalto.org
news@padailypost.com

Page 2 of 2

2

Response to Letter I150 (William J. Jaynes, April 2, 2010)

I150-1

See Standard Respponse 6 regarding the requirements of CEQA and quality of life impacts.

See Standard Response 2 regarding the tiered EIR process and Standard Response 3 regarding the level of detail for impacts analysis and mitigation in the program-level EIR. Detailed analysis at the project-level EIR/EIS will evaluate construction and operational impacts. Feasible mitigation measures will also be discussed at the project-level.

I150-2

See Standard Response 10 regarding route alternatives.

I150-3

The safety considerations in system design are described in the Chapter 2 of the 2008 Final Program EIR. The HST system will be designed as a fully access controlled guideway with intrusion monitoring systems.

I150-4

Comment acknowledged. See Standard Response 4.

I150-5

The ridership and revenue forecasts used in the 2010 Revised Program EIR rely on official population and employment forecasts developed by the California Department of Finance and regional planning agencies throughout the state. The forecasts assume continuation of current trends regarding telecommuting, fuel costs and similar factors that influence people's desire and willingness to travel. Although ridership and revenue sensitivity tests were developed to understand the potential effects of changes in these factors, the "most likely" future scenario, based on continuation of current trends, was used for the Program EIR rather than speculative changes in some variables.

I150-6

The Authority disagrees with your statement. Over 45 years in many countries around the world, HST has repeatedly proven its ability to cover its operating costs and return an operational profit (revenues exceeding operational and maintenance costs).

I150-7

This is not a comment on the 2010 Revised Draft Program EIR Material. The 2010 Revised Draft Program EIR Material addresses those topics identified in the final judgment for the Town of Atherton litigation as requiring corrective work under CEQA. The purpose of the project was not one of those topics. See Chapter 1, Purpose and Need and Objectives, in the 2008 Final Program EIR.

I150-8

Substantial outreach through the preparation of the program documents was conducted. Information has been made available for the public to review and provide input at each stage of the process. Please see Chapter 10, Public and Agency Involvement, in the 2008 Final Program EIR. The Authority conducted scoping activities for the Bay Area to Central Valley HST Draft Program EIR/EIS including meetings in San Jose, San Francisco and four other cities. The Authority held a total of eight public hearings, including in San Jose and San Francisco to present the Draft Program EIR/EIS and to receive public comments between August 23, 2007 and September 26, 2007. The Authority has endeavored to provide the broadest possible notice of the 2010 Revised Draft Program EIR Material. Notification was provided in 8 newspapers including the San Francisco Examiner and San Jose Mercury News. A Notice of Availability and Notice of a Public Meeting postcard was further distributed to over 50,000 individuals identified as part of on-going project-level engineering and environmental studies. The Revised Draft Program EIR Material and a Notice of Availability and of a Public Meetings was also made available to 16 libraries for public viewing. Two public meetings were held on April 7, 2010 in San

Jose on the Revised Draft Program EIR. If the Authority proceeds with a network alternative that involves cities along the Peninsula at the project level, the Authority will continue its efforts at public outreach in the area.

Comment Letter I151 (Richard C. Dundas, April 22, 2010)

I151

Kris Livingston

From: ML & DICK DUNDAS [rmldundas@sbcglobal.net]
Sent: Thursday, April 22, 2010 9:54 AM
To: HSR Comments
Cc: Plandiv.info@cityofpaloalto.org; Patrick.Burt@cityofpaloalto.org; gail.price@cityofpaloalto.org; nancy.shepherd@cityofpaloalto.org; iklein@thoits.com
Subject: High Speed Rail from San Jose to San Francisco

Ladies and gentlemen: I151-1

If HSR is to run from San Jose to San Francisco using the existing Peninsula Cal Train right of way then appropriate tunneling is the only responsible way to to do so. However a better solution that should be considered is to run HSR along the Highway 85/280 corridor from south San Jose to downtown San Francisco. I151-2

The long-planned upgrades to Peninsula Cal Train infrastructure, such as grade crossing elimination and electrification can be appended to the HSR contract. In conjunction with the Penininsula Cal Train upgrade, elevated feeder service could be routed along existing east-west transportation corridors such as 380, 92, Woodside Road, Sand Hill Road, Page Mill Road, 237/85, Lawrence Expressway, etc. running from the Cal Train right-of-way and 85/280 thus providing peninsula residents convenient access to the long-haul HSR. This proposed route could turnout to be a big time WIN-WIN-WIN-WIN for all of the vested players. I151-3

Sincerely,

Richard C. Dundas, P.E.
2194 Louis Road
Palo Alto, CA 94303-3453

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Response to Letter I151 (Richard_C_Dundas, April 22, 2010)

I151-1

See Standard Response 10 regarding vertical profile alternatives.

I151-2

See Standard Response 10 regarding route alternatives.

I151-3

Development of connecting transit systems between the Caltrain corridor and an I-280 HST alignment, as cited in the comment letter, is outside the scope of this document.

Comment Letter I152 (Michelle Djokic, April 3, 2010)

I152

Kris Livingston

From: Michelle Djokic [michelle.djokic@gmail.com]
Sent: Saturday, April 03, 2010 12:42 PM
To: HSR Comments
Cc: city.council@cityofpaloalto.org
Subject: EIR for CA High Speed Rail Authority Concerned Citizens Comments

Dan Leavitt

CA High Speed Rail Authority

925 L Street, Suite 1425

Sacramento, CA 95814

Michelle Djokic

Mark Talbott

229 Edlee Avenue

Palo Alto, CA 94306

650-855-9070

attn: Environmental Impact Report for the CA High Speed Rail Authority

Dear Mr. Leavitt, April 2, 2010

Our family has had to deal with many negative issues involving living by the train tracks. These include noise pollution, dust pollution and air pollution. There are several objections we would like to bring to your attention: I152-1

1)The construction period will make living conditions with regard to the amount of dust generated dangerous to the health of my family. Both of our children suffer from pollution related asthma.

2)We fear greatly that once construction is completed the increase in train traffic particularly from above the ground will send even more pollutants into the air. I152-1 cont.

3)The Electro Magnetic Radiation that will be generated from the wires going along the tracks will adversely affect those that are already immune suppressed as both of our children are as they both have Type I Diabetes. I152-2

4)The increase in noise will severely impact my work as I am a professional musician teaching from our home and practicing here as well. I152-3

5)Our family will be physically cut off from many of our closest friends that all live directly on the other side of the tracks which would be impassable from the designs that have the raised rail lines. I152-4

6) High speed railroad (HS-RR) being built less than 20 miles from two major active earthquake faults is economic waste. The Hayward fault and the San Andreas fault are predicted to have force 8 events along the fault within 20 years. This will without question bring down major transportation links and take years to rebuild. Thus, if you are counting on any form of revenue without interruption once the HS-RR is completed, you will not achieve that objective. I152-5

70 The water table in the bay area is very close to the surface. The pilings and trenches, howsoever dug, will cause huge displacements of water, some areas of which are marshlands or close to marshlands. Has this cost been recognized and risks understood? I152-6

8) Alma (Central Expressway) will be disrupted for 4-6 years. The numbers of cars along this urban beltway per day are in the hundreds of thousands. Where will that traffic go? I152-7

9) The aforesaid routes are major arteries to the Stanford Industrial Park, and Mt. View areas. Your economic justification does not discuss the impact on the existing businesses arising from the impact of the building phase. I152-8

10) There are not fewer than 10 schools along the Charleston/East Meadow corridors. The cross overs will be closed for a long period whilst construction takes place. How do parents get through this corridor or the children who bike between home and school? I152-9

Comment Letter I152 - Continued

11)What will that sound be like with whistles when pitched 30 or more feet above the ground? Sound travels and these sounds will have no hindrances. The noise will deafen the nearby residents and make their homes valueless. Given the median price of possibly $1,500,000 per home affected, have you factored the cost of procuring the some 2000 homes made valueless by the noise arising from HS RR development and subsequent implementation?. I152-10

12) What compensation do you plan for all the musicians, homes for the aged, infant schools, elementary and junior high schools within 500 yards of the proposed HS-RR that will not be able to continue functioning during the building phase (equipment blasting into the subsurface, pile drivers setting up steel rods, etc etc. for up to 6 years?). Is that calculated into the budget for this HS-RR? I152-11

13) Cal-Trains announced that it is not able to continue full service on the railroad for commuters because it has not been profitable enough to run a full service. Instead of cutting back on what is absolutely environmentally sound use of resources on the San Jose to San Francisco corridor, why not put the money into reducing the fares so that more people use that railroad and expand that railroad from Tracy to San Jose, Morgan Hill and Santa Cruz to San Francisco. I152-12

14) Why not look at using high speed boats from Los Angeles to San Francisco : hydrofoils which can do the trip at a fraction of the cost and much safer and could start immediately. I152-13

15) Why not use the existing Amtrak Lines and terminate in Oakland, and just incorporate Oakland into San Francisco. Thus you would comply with the obligation to have LA to SF but just not end up in SF that you know today. Oakland will mean that HS-RR can go directly to Sacramento without interruption because you split just near the Pacheco Pass and one line goes to Sacramento (and then on to Portland OR) and the other into Oakland/SF. With Bart right at Oakland, you have access to all of the bay area without impacting local neighborhoods. Bart spur would take people to San Jose. I152-14

Thus you would have a HS Railroad running through farmland and industrial areas and not impacting thousands of homes in a valley already impacted by traffic and noise.

Thank you for addressing these very important issues concerning the CA High Speed Rail Project.

Sincerely,

Michelle Djokic

3

Mark Talbott

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Response to Letter I152 (Michelle Djokic, April 3, 2010)

I152-1

See Response to Comment 1052-5 regarding construction.

I152-2

The Revised Draft Program EIR Material addresses those topics identified in the final judgment for the Town of Atherton litigation as requiring corrective work under CEQA. Electromagnetic fields (EMF) was not one of those topics. Please see Chapter 3.6 of the May 2008 Final Program EIR. The analysis identified that the HST project (and it's electrical supply and facilities) would have minimal electromagnetic interference (EMI)/EMF exposures at levels for which there are no documented health risks are anticipated and that EMI/EMF concerns are less than significant at the programmatic level under CEQA and not significant under NEPA. Furthermore, the Authority in the CEQA findings and the FRA in the ROD for the 2005 Statewide Program EIR/EIS adopted design practices and mitigation strategies to address potential EMI/EMF issues for the HST system to be applied and refined at the project-level in the future. It is anticipated that the use of the design practices and mitigation strategies will reduce exposure to EMFs and reduce the potential for EMI with biomedical devices to the lowest practical level.

Standard design practices for overhead catenary power supply system substations, transmission lines, and vehicles of the approved HST system include the use of appropriate materials, spacing, and, if necessary, shielding to avoid potential EMF/EMI impacts and to reduce the EMFs and EMI to a practical minimum. More detailed information and analysis on potential EMI/EMF impacts will be included in project-level environmental documents.

I152-3

More detailed information and analysis of nosie impacts and mitigation will be included in project-level EIR/EISs. See Standard Responses 3 and 5.

I152-4

See Response to Comment 1017-4.

I152-5

The Authority disagrees with your statement. The HST will be designed to the appropriate seismic standards and has specific design requirements to minimize risk from seismic events.

I152-6

The 2010 Revised Draft Program EIR Material addresses those topics identified in the final judgment for the Town of Atherton litigation as requiring corrective work under CEQA. Hydrology and water resources was not one of those topics. Please see Chapter 3.14 of the 2008 Final Program EIR. Potential impacts from shallow groundwater as well as mitigation strategies was discussed in this chapter. More detailed analyses related to groundwater impacts and potenial impacts on nearby marshlands will be performed during the project-level EIR/EIS analysis when more detailed design and location information will be available. See Standard Response 3.

I152-7

See Response to Comment 1052-5 regarding construction.

I152-8

See Response to Comment 1052-5 regarding construction.

I152-9

See Response to Comment 1052-5 regarding construction.

I152-10

The HST system will need to be completely grade separated on the peninsula corridor, eliminating both the train horn noise and the bell noise from the grade-crossing protection devices. See Standard Response 6 regarding property values.

I152-11

The 2010 Revised Draft Program EIR Material addresses those topics identified in the final judgment for the Town of Atherton litigation as requiring corrective work under CEQA. Construction impacts was not one of those topics. See Chapter 3.18, Construction Methods and Impacts, and Chapte 3.4, Noise and Vibration, in the 2008 Final Program EIR and the impact analyses in other sections of Chapter 3. More detailed impact analyses related to HST system construction including trackway, stations, maintenance facilities, transmission lines, staging areas, and other project elements will be performed during the project-level EIR/EIS analysis, when more detailed design, location, and phasing/duration information will be available for the selected HST alignment. The Authority would work with local agencies prior to and during construction to minimize impacts on adjacent land uses. Mitigation strategies identified in Chapter 3.4 include using enclosures or walls to surround noisy equipment, installing mufflers on engines, substituting quieter equipment or construction methods, minimizing time of operation, and locating equipment farther from sensitive receptors; suspension of construction during certain hours in residential areas; requiring contractors to comply withl local sound control and noise-level rules, regulations, and ordinances. Soundwalls and other noise attenuating measures could be constructed prior to the project to also reduce noise. See Standard Response 6.

I152-12

Please see Response to Comment I190-9.

I152-13

Hydrofoils, catamarans or any other type of ocean-going vessel traveling from San Francisco to Los Angeles would require about a 430 mile voyage, from within San Francisco Bay to Long Beach. The fastest vessels can travel at about 90mph. This would lead to about a five-hour one way trip. New terminals would need to be built, with intermodal connections and significant amounts of parking. While a terminal on the San Francisco waterfront would be well-located for travelers, a maritime terminal in LA would not. The size of the terminals would have significant impacts on their surroundings, especially in San Francisco. Sea-based transport would not serve the South Bay, Central Valley or Sacramento, Palmdale area, San Fernando Valley, Inland Empire or I-15 corridor. It would not meet the goals of the HST system as described in the 2008 Final Program EIR.

I152-14

Comment acknowledged. Municipal mergers are beyond the scope of the project definition.

Comment Letter I153 (Merle Evers, April 23, 2010)

I153

Kris Livingston

From: Merle Evers [mevers@msn.com]
Sent: Friday, April 23, 2010 12:54 PM
To: HSR Comments
Subject: High Speed Rail

I would like to add my comments regarding the proposed plans for the route for California high speed rail through peninsula cities. I am particularly concerned about the environmental impact on Palo Alto. I can speak directly about the impact on 101 Alma Street, where I reside. The proposed plans, as I understand them, would have a devastating effect on many tall trees along Alma Street. Most serious would be the effect on El Palo Alto, the thousand year old giant redwood tree after which Palo Alto was named. It would probably be severly damaged, if not destroyed. I also fear that our immediate neighborhood would be severely damaged by the construction and by the rail itself if it is not routed underground. I153-1

It seems so futile to route a high speed train through a densely populated area when it is not intended to directly serve residents with stops in that area. It would seem much wiser to route it through less populated areas when they are availabe, such as along the bay shore. I153-2

Thank you for your consideration.

Merle Evers

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Response to Letter I153 (Merle Evers, April 23, 2010)

I153-1

In the vicinity of this address, the HST tracks depicted in the 2008 Final Program EIR run to the west of the existing tracks, which are on the west side of Alma Street. This design should not affect the trees on this property. An analysis of the HST will be undertaken as part of project level engineering and environmental analyses. Operational, construction, and maintenance impacts will be addressed as part of a project-level EIR/EIS. Specific locations and the scale of impacts will be further examined at the project level because they are a product of the HST system design, and the detail necessary to identify the presence of the impact, the level of significance, and mitigation can only be done at the project level.

El Palo Alto, the old Palo Alto tree, has lived next to the railway since 1863, with the current double-track configuration in place since 1904. The HST tracks depicted in the 2008 Final Program EIR run to the west of the existing tracks, further from El Palo Alto than the existing tracks. As the tree is a historic site, analysis will be undertaken in the project-level EIR/EIS to determine the design and mitigation to make sure the tree is not damaged by the HST.

I153-2

Please see Standard Response 10 and Chapter 7 of the 2010 Revised Final EIR Material.

Comment Letter I154 (Allen Edwards, April 7, 2010)

I154

Kris Livingston

From: Allen Edwards [allen.p.edwards@gmail.com]
Sent: Wednesday, April 07, 2010 9:07 AM
To: HSR Comments
Subject: A solution to the Peninsula HSR section

This is not a form letter and I hope it gets read. I believe there is an obvious solution that will address reality, cut the cost of the project, make the service better, and address the concerns of people who live near the track, as I do. I live less than one block from the Caltrain track in Palo Alto.

Caltrain is in financial trouble and it is obvious if you even casually think about it that once HSR service is in place, Caltrain will not be able to survive. With 2 stops in the 45 miles between San Jose and San Francisco, everyone on the peninsula will be within about 7 miles of a HSR station and some percentage of present Caltrain riders will pick HSR to commute as the trip to SF will be so much faster. If everyone within 3 to 4 miles switched, Caltrain ridership would go in half. It cannot survive. I154-1

If everyone recognizes that Caltrain cannot survive the competition of HSR any more than my favorite Mexican restaurant, now closed, could survive having two new Mexican restaurants open within a few blocks, the task becomes much easier.

HSR can use the existing Caltrain tracks without having to share, dual tracks become unnecessary, the tunnel becomes unnecessary, and most of the concerns of the residents are solved. Many underpasses would have to be built, but this has to be cheaper then a tunnel. I hope this is considered. This will upset some people but this is the reality. What a shame it would be to build a dual system and then have Caltrain fail. That would be a failure of vision of gigantic proportions.

Another point is that to really finish off Caltrain, 3 additional stops in HSR could be added, placing stations every 6 to 7 miles so everyone would be within about 3 miles of a station. This would add insignificant time to the trip and make it much more convent for people who live on the Peninsula to use HSR, thus increasing HSR ridership. Many more people live on the peninsula than live in San Francisco, 3 to 4 times more. To say that adding a few minutes to make HSR more attractive to 3 million peninsula residents would inconvenience 700 San Francisco residents ignores where the people actually live. San Francisco is a generic term encompassing many more people than actually live in the city. This is another fact that should be recognized. In fact, when I voted for HSR, I assumed that San Francisco meant San Francisco Bay Area and did not require a down town station Afterall, SFO is not downtown and is still called San Francisco Airport. Perhaps there will be a ballot measure to clarify our (the voters) intent on this. I154-2

One additional point, if you do not address the concerns of the people on the Peninsula, you will meet a buzz-saw of opposition that will make live very difficult for you. Just look at what happened to the poor folks trying to develop what we call the Alma Plaza Shopping Center for an idea. In no way do I mean this a a threat, it is just an observation of a long time resident of Palo Alto. I am sympathetic to your project but not to you optimizing your concerns at the expense of mine. I am sure you have enough letters outlining these concerns that I will not bore you by repeating them. I154-3

I look forward to a response that addresses the points I have raised.

Allen Edwards
186 Coleridge Ave
Palo Alto, CA 94301

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Response to Letter I154 (Allen Edwards, April 7, 2010)

I154-1

Caltrain provides vital commuter service to the communities on the Caltrain Corridor and intends to do so into the future. In addition to the mutual interest of both Caltrain and the CHSRA in having Caltrain provide local service, there are several design considerations for the High Speed Train that need to be considered in the commenter's proposal. The stated policy of the Authority is to have a fully grade separated railroad. Therefore regardless if Caltrain is operating or not, the 47 grade separations between San Francisco and San Jose would need to be addressed either for the existing two tracks or up to four tracks. As the commenter notes, "many underpasses" will be required. How specific at-grade crossing will be addressed will be the topic of the project level environmental analysis on the corridor. Probably more importantly for the high speed train service financial viability, it is not in the Authority's interest to carry local Caltrain passengers on the high speed trains. Those local passengers would take seats of potential long distance passengers who would generate considerably more revenue than short distance, commuter passengers.

I154-2

According to Proposition 1A, there is a limit of 24 stations on the High Speed Train system statewide; adding stations on the Peninsula would eliminate the opportunity for other stations on the system and would not be consistent with the purpose of the HST system. Currently there could potentially be four stations on the SF to SJ section, downtown San Francisco, Millbrae, a mid-Peninsula station at either Palo Alto or Redwood City and San Jose. Finally, adding additional stations to the Peninsula could affect the High Speed train's ability to meet its travel time goals of two hours and forty minutes between San Francisco and Los Angeles. The best way to address the local need for mobility on the Peninsula is with a frequent and viable local service like Caltrain so that it preserves the high speed train capacity for long distance passengers.

I154-3

Comment acknowledged. This comment warns of opposition on the Peninsula to HST, but does not address specific environmental issues.

Comment Letter I155 (Martin Engel, April 12, 2010)

I155

Kris Livingston

From: galen [denzen@umich.edu]
Sent: Monday, April 12, 2010 5:14 PM
To: Palo_Alto_HSR@yahoogroups.com; PA City Council; HSR Comments
Cc: PA Patriot; galen; Dave Price; Gennady Sheyner; Mike Brady; Sharon Kyle
Subject: Time for a Referendum on HSR!

If the legislature won't kill this beast, i think a new vote is our best option. Look at it from their perspective: What's their biggest nightmare scenario? ...a new vote that nullifies the previous ballot measure. Sure, it would be expensive, but it'll be a hundred thousand times more expensive (one million versus one hundred billion!) if we don't stop this madness now before it's too late.

Best regards -- galen

Martin Engel wrote:

For those of us on the Peninsula, below, FYI, is a timeline of what we can expect.

Also, for us on the Peninsula, here are two major options to consider.

Retained-fill wall or single tunnel?

It looks like the rail authority still intends to go after an elevated, retained-fill wall with four tracks on top running though mid-Peninsula. However, they have stated in the "Preliminary Alternatives Analysis" the option of a single, high-speed-train-only two track tunnel. Rail authority leaders have affirmed that this option is definitely on the table. Presumably, they would leave Caltrain and Union Pacific at grade, running on the current two tracks. However, there would be no need for grade separations, even though Caltrain wants those. An immediate question arises about what the rail authority would and wouldn't pay for. (Another question is whether you can trust them about this or are they still pulling our chain.)

I155-1

One of our opportunities would be to fight for this; to get together and agree that will be our best, realistic option.
Only by getting all our ducks in one row, so to speak, do we have a remote chance of obtaining this alignment.
The rail authority will insist that we pay for it. I don't know what they mean by "it." Are we obliged to pay the per mile costs of tunneling, or only the difference between a retained-fill wall and tunneling?

And, if the latter, do we also deduct all the costs that would necessarily accompany a retained-fill wall, like shoofly tracks, eminent domain takings,and temporary construction easement takings? Would the cities, such as the PCC members, involved in this tunneling be willing to, say, float a bond issue to cover the cost difference?

My own position is that we demand this alternative but refuse to pay even more than we are obliged to pay already through massive tax-based contributions at the local, state and national levels. Our position should be that their tunnel is the cost of doing business on our rail corridor. I would also persist in demanding rent for the use of our rail corridor.

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Let's call this the "Do it right" alternative.

A Voter Referendum:

Another opportunity would be a voter referendum to revoke the election results of Proposition 1A of 2008. Could we all get together behind this idea and support it with time, work and money to make it happen?

It is certainly possible but requires major support not only from us on the Peninsula, but from others in the Bay Area and from the LA Basin voter population.

Let's call this the "Don't do it at all" alternative.

The main point is that whatever strategy we pursue, we all, regardless of our differences, need to get behind it and push; we need as many people involved as possible to be as active as possible. We can't debate the merits and shortcomings of these ideas until the day the bulldozers arrive on our doorstep.

If I was involved in CSS, as many of our local politicians are, I would urge a strong commitment to one agenda or the other.

We have met the enemy, and they is us:

I155-1 cont.

As far as I can see, our biggest self-imposed draw-back is our inability to agree on anything. We are still actively pursuing a broad array of options, believing that we are on the right track with each alternative. We each believe that we are right, and everyone else is wrong. That's a recipe for failure.

Continuing that dynamic is self-destructive, despite its appealing free-speech democratic dimensions. Based on last week's CHSRA Board meeting, it should become clear that we cannot win the support of the Legislature, and we certainly will not convince any Board or staff member of the rail authority that all the alternative routes to which we are dedicated -- presumably still open for discussion -- will be selected in the EIS/EIR process. I suggest that we persist at our own penalty. That, of course, is only my opinion.

Many of us have great ideas about what we 'ought' to do and what 'ought' to happen as a result.

Editor of the POST David Price lays the issue out in his editorial:

Daily Post Page 6 4-10-2010
Letters won't stop the rail
If you want to stop high-speed rail, you have been told to spend the next month flooding Sacramento with e-mails and letters. The more letters we send, the greater the chance we will stop this train. Or so we are told.

Go ahead and write, if it makes you feel better. But our legislators and officials at the California High Speed Rail Authority are not going to read your letters. They're going to hire a PR person to skim them over and provide a canned response. Your letters aren't going to stop the powerful backers of this railroad (labor, engineering firms, land developers) from gutting the heart of Palo

2

Comment Letter I155 - Continued

Alto, Menlo Park, Atherton, Redwood City, San Mateo and Burlingame with a monster wider, louder and uglier than Caltrain.
Instead of writing letters, let's take some serious steps to stop high-speed rail.

Go back to the ballot

Put the question back on the statewide ballot. A signature- gathering effort will cost about $500,000, and the election campaign could cost millions more. So this won't be easy.

The campaign would have two themes:

*High-speed rail, at a cost of $43 billion, will take needed state funds away from other more important things like police, firefighting and schools.

*The public wasn't told all of the facts about the rail before the 2008 election, and many of the "facts" at the time were greatly exaggerated, such as the projected ridership.

Bring out the lawyers

The Palo Alto area has some of the world's top lawyers and Stanford's law school. We need to form an all-star legal dream team of hundreds of lawyers working on a pro bono basis to stand up to the army of lawyers the state has to push this project down our throats. These lawyers could be:
*Suing over every aspect of this project, and constantly demanding restraining orders and injunctions. The more litigating we do, the more likely we can stop this project in the courts. Environmental groups know how to do this better than anyone - let's see if they'll help us?

*Going to bat for homeowners whose property the rail authority intends to seize through eminent domain. It's important to act fast because once the state has decided to take a property, it's gone, and the only issue at that point is how much money the homeowner will get.

I155-1 cont.

Threaten their jobs

Let's create a political action committee to raise money and defeat legislators who back this project. Knocking off one or two pro-train or "done right" lawmakers will have more impact than a million letters and e-mails.

Legislators and the rail authority don't care how many letter we write. It's a big joke to them. That's why they're telling us to write. It will distract us as they push their project through. But they will care if their jobs are threatened. Let's hit them where it hurts.

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http://articles.sfgate.com/2010-04-02/opinion/20832103_1_california-high-speed-rail-high-speed-train-bullet-train

April 02, 2010

High-Speed Train Schedule Project Timeline:

San Francisco-San Jose segment of California High-Speed Rail:

January 2009: Scoping meetings began the public involvement portion of the environmental review process.

April 8, 2010: Release of Preliminary Alternatives Analysis Report discussing pros and cons of route options.
Fall 2010: Estimated date to begin procurement process.
Sept. 30, 2011: Federal deadline for eligible projects to have completed environmental review.
December 2011: Estimated date to finalize design, build contracts for the section.
Sept. 30, 2012: Federal deadline for eligible projects to have begun construction.
March 2016: Estimated date to begin testing trains on the section.
Sept. 30, 2017: Federal deadline for projects to complete construction.
Summer 2019: Estimated date to begin revenue-based passenger service on the section.
January 2020: Estimated date to begin revenue-based passenger service on entire Phase 1 train system from San Francisco to Anaheim.

I155-1 cont.

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Martin Engel
1621 Stone Pine Lane
Menlo Park, CA 94025
650:323-1670
martinengel@earthlink.net

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Response to Letter I155 (Martin Engel, April 12, 2010)

I155-1

This is not a comment on the 2010 Revised Draft Program EIR
Material.

Comment Letter I156 (Mike Cobb, April 26, 2010)

I156

Kris Livingston

From: Mike Cobb [mike@mikecobbcreative.com]
Sent: Monday, April 26, 2010 2:22 PM
To: HSR Comments
Cc: Jack Morton; Greg Schmid for City Council; gregscharff@aol.com; Nancy Shepherd
Subject: COMMENTS ON HSR EIR
Attachments: pastedGraphic.pdf; ATT00001.htm

HSR Gentlemen/Ladies —

I would like to add my thoughts and comments to the record relative to the consideration of the HSR EIR.

For your information and the record, I am a near lifetime resident of Palo Alto. I Served 12 years on the Palo Alto City Council, including two years as Mayor. I was honored a few years ago with the prestigious 'Tall Tree' award for my service to the community. With this background, I think I can speak with some understanding about Palo Alto and represent the views of a great many of our residents who are only recently beginning to get the information about the full physical and financial impacts of the HSR project on our community (and on the State). My home is about three blocks from the tracks, fortunately (I hope) on the East side of Alma Street ... I will be impacted by the noise, view, traffic, and construction, but not like the unfortunate people whose homes are on Park Boulevard or Mariposa Ave. I156-1

I have spoken at public meetings on HSR and follow the issue very closely. I write this with the sure knowledge that what I have to say will surely be ignored by the CSHRA which has, to date, demonstrated an astonishing disregard for the public that will be impacted by the project. As recently as today, Mr. Diridon is quoted in a local paper that has been critical of the project as saying he won't speak to them ... and about 2 years ago his comment with respect to objections from local communities was that they "would be over-ridden." I156-2

I have many, many concerns about the HSR, chief among them the questions I raise below which I request that you address in detail and with clarity:

Impact on residential areas. For each HSR configuration/layout scenario:
(1) Specify exactly which homes will have to be taken, and which others will be impacted
(2) Provide a noise/decibel map for all areas adjacent to the tracks.
(3) Provide sight line representations for all homes/structures that will 'see' any raised track configuration.
(4) Show all properties and roads that will be impacted and to what degree by the construction period. I156-3

Compensation to home owners. There is of course no adequate compensation for people who must leave their community because their homes are taken. That said, how will they be compensated at full market value? And, will there be compensation for the many more people whose homes will drop in property value because of their proximity to the destruction of other homes and to the project, including the loss of value during construction? Does the HSR budget allow for full compensation for all affected home owners? I156-4

Impact on community facilities. For each HSR configuration/layout scenario: I156-5

(1) Specify exactly which land will need to be taken from educational facilities (Palo Alto High School, Burlingame High School, etc.)
(2) Specify exactly which land will need to be taken from community facilities and/or the specific physical, functional, noise, and other impacts from these facilities (in Palo Alto, the PAMF building, the train station, El Palo Alto, community parks, etc.) I156-5 cont.

Compensation to community facilities. If, for example, Palo Alto High must re-orient its athletic fields, how will the school district be compensated for these costs? And, how will the city and organizations like the PAMF be compensated for the impacts on their respective facilities? Does the HSR budget allow for full compensation for all affected community properties?

Routing. Specifically, what were the reasons for selecting the proposed routing vs. the Altamont Pass/East Bay configurations. What are the comparable community impacts of the routing alternatives? Which land holders benefitted from the Pacheco Pass routing decision. Have other Peninsula routing options been studied in detail and if not, why not? I156-6

Funding. Given the dismal financial situation faced by both local and state government, what realistic plans can you provide for coming up with the necessary funding for the project? What do you do if there is not state and local funding available in the foreseeable future? Is it responsible to start construction of any segment without all the funding clearly assured? What are relative costs of the various alternatives proposed, and what part of those costs would be added to the burden on local governments to achieve a more acceptable (to them) configuration? I156-7

Community impacts. The requirement for funding to be generated at the local level implies that Cities will need to upzone areas, presumably adjacent to the tracks, to create economic value to support this funding. This will, in turn, increase city densities, changing the character of individual communities, and put a greater burden on community services and traffic ... how will the affected communities be compensated for these impacts, and is any of this covered in your financial plan? I156-8

Construction impacts. Specifically, where will the shoo-fly tracks and other space and facilities needed during construction be placed? What properties will be impacted? How will local traffic be impacted? These impacts will clearly place a burden on local government ... will there be any compensation for these impacts and is that in the budget? I156-9

Security. As demonstrated in Russia, Spain, and England, rail systems are inviting targets for terrorists. And what could be more inviting than a high speed system going through heavily populated areas? At an airport, there is security just at the two ends of the route. For rail, we will have to have *security along the entire length of the tracks* (unsecured areas of track would otherwise provide entry points) How do you plan to accomplish this and is this covered in the budget? How could/would this work for the various configurations that have been proposed? I156-10

Physical safety. Any surface or elevated track configuration will require retaining walls to protect local residents and people from a train coming off the tracks at high speed. Do your configuration studies allow for this, and how? What will be the physical and visual I156-11

Comment Letter I156 - Continued

impacts on the community of these safety features? I156-11 cont.

Ridership. A realistic ridership projection must be provided. Compare your projections to other HSR systems in the world ... with allowance for cultural differences. You cannot base these projections on presumed growth in the state, because growth projections are not proven and some trends suggest they are unrealistic. You should provide studies of potential riders ... at what is now virtually the same ticket price, which travelers would stay with air travel and which would take the train? And, we need a realistic demonstration of how real profitability can be achieved. I156-12

Impact on other State and local programs. If funding is diverted from State and local governments to fund HSR, what will be the impact of that diversion on State and local programs. We are, for example, laying off teachers and turning away students from colleges and universities. I156-13

There are, of course, many other issues: management, controlling cost growth, understanding the large economic forces that would benefit from the project, and more. All of the questions note above do have environmental impacts, either direct or indirect. And they must be addressed. I156-14

Assuming that anyone at CHSRA actually gives a damn, which does not seem to be the case, I would refer you to the addendum to her earlier comments by Ms. Hinda Sack of Palo Alto which well describes the sense of despair that so many in our community feel. I received a call a few days ago from another Park Boulevard resident whose despair of the impending loss of her home was very real ... and very touching. I156-15

Your responsibility to the public goes well beyond just getting a train built. And if you can't do that right, you have a responsibility not to do it. On behalf of a great many people that I know, I ask you to address the issues I have raised in this correspondence ... and to do that completely, accurately, realistically, and honestly. Given the magnitude, cost, and impacts of the HSR project, nothing less is acceptable.

— Mike Cobb
Palo Alto Mayor, 1986 and 1990.

Mike Cobb
mike@mikecobbcreative.com

Mike Cobb Creative
721 Colorado Ave. #103
Palo Alto, CA 94303

t: 650.328.2622
f: 650.328.2664
www.mikecobbcreative.com

3

Response to Letter I156 (Mike Cobb, April 26, 2010)

I156-1

Comment acknowledged. The 2008 Final Program EIR identified that the HST project would result in significant impacts to the physical environment. The 21 network alternatives studied in the EIR each involve adverse environmental impacts, along with substantial project benefits. The EIR identified mitigation strategies to address the adverse impacts to the greatest extent feasible. In addition, the EIR discloses that regardless of alternative selected, significant adverse environmental impacts are anticipated, though the scale and location of these impacts may differ between alternatives.

Additional site-specific analysis of potential noise, visual, traffic, and construction impacts will be conducted for the project-level EIR/EISs.

I156-2

Comment acknowledged.

I156-3

See Standard Response 2 regarding the tiered EIR process and Standard Response 3 regarding the level of detail for impacts analysis and mitigation in the program-level EIR. Detailed analysis at the project-level EIR/EIS will evaluate specific property, noise, visual, and construction impacts. Feasible mitigation measures will also be discussed at the project-level.

I156-4

See Standard Responses 6 and 7.

I156-5

See Standard Response 3. The potential for site specific property impacts on educational and community facilities will be part of subsequent project-level environmental documents. The Authority will consider the comment as part of the project-level EIR/EIS processes.

I156-6

See Standard Response 10 regarding route alternatives.

I156-7

This topic was not identified by the Superior Court as an area requiring additional work under CEQA in the Town of Atherton case. See Standard Response 8 regarding Business Plan.

I156-8

This topic was not identified by the Superior Court as an area requiring additional work under CEQA in the Town of Atherton case. The Authority's policies towards development around HST stations are described in Chapter 6 of the 2008 Final Program EIR. See also Standard Response 8 regarding Business Plan.

I156-9

See Response to Comment 1003-14 regarding construction.

I156-10

See Response to Comment I003-17.

I156-11

See Standard Response 2 regarding the tiered planning process for the HST system. At the program level, design details such as the location of retaining walls, crash walls, etc., have not yet been engineered. Detailed analysis of such features will be included in the project-level EIR/EIS.

I156-12

Ridership forecasts are not a topic identified by the Superior Court for additional work to comply with CEQA. The ridership forecasts did examine different scenarios of ridership based on different assumptions of the relationship of a high-speed train ticket price to the cost of auto and air travel. See Standard Response 4.

I156-13

Comment noted. See also Standard Response 8 regarding Business Plan.

I156-14

Comment noted. The purpose of the 2010 Revised Final Program EIR Material is to approriately address the environmental impacts of the alternatives. The more detail economic issues related to development of the High-Speed Train system are part of the Authority's ongoing business and fiscal planning.

I156-15

Comment acknowledged. This comment alerts the Authority to opinions of some within the Palo Alto area and summarizes comments earlier in the comment letter.

Comment Letter I157 (Millie Chethik, April 9, 2010)

I157

Kris Livingston

From: Millie Chethik [mchethik@sbcglobal.net]
Sent: Friday, April 09, 2010 9:58 PM
To: HSR Comments
Cc: plandiv.info@cityofpaloalto.org
Subject: Comments on proposed HSR

To Dan Leavitt, California High Speed Rail Authority:

I am concerned about the High Speed Rail along the Cal Train route because of the noise pollution, aesthetics and destruction of property values with regard to some of the most valuable real estate on the Peninsula. I157-1

If the High Speed Rail is to be put in place, you need to use TUNNELING so that there is minimal impact on homes, businesses and streets. If not tunneled, tax revenues and property values will plummet in not just adjacent but also distant areas. I157-2

Digging tunnels will decrease purchases of land through eminent domain, as well as costly grade separations.

With the state in a financial crisis, these kind of very expensive endeavors are incorrect and inappropriate. I157-3

Thank you for your kind attention to this matter.

Sincerely,

Millie Chethik
455 Grant Ave. #2
Palo Altto, California 94306

1

Response to Letter I157 (Millie Chethik, April 9, 2010)

I157-1

More detailed information and analysis of nosie and aesthetics impacts and mitigation will be included in project-level EIR/EISs. See also Standard Responses 3 and 6.

I157-2

The Authority disagrees with your statement. See Standard Response 10 regarding vertical profile alternatives.

I157-3

The Authority disagrees with the comment.

Comment Letter I158 (Caren Chappell, April 24, 2010)

I158

Kris Livingston

From: Caren Chappell [carenchappell@yahoo.com]
Sent: Sunday, April 25, 2010 3:32 PM
To: HSR Comments; patrick.burt@cityofpaloalto.org; city.council@cityofpaloalto.org
Subject: Bay Area to Central Valley Revised Draft Program EIR

242 East Charleston Road
Palo Alto, California 94306

24th April 2010

Dan Leavitt Sent by Email: comments@hsr.ca.gov
California High-Speed Rail Authority
925 L Street, Suite 1425
Sacramento, CA 95814

RE: Comments on Bay Area to Central Valley Revised Draft Program EIR

Dear Mr. Leavitt and the High Speed Rail Authority:

This letter is to comment on the Draft Program Level Environmental Impact Report (EIR) prepared on the Authority's proposed routing of the system in the San Francisco Bay Area.

I live in Palo Alto at the above address address, and have done since 1982.

The Authority's proposed project design and the routing of the proposed High Speed Train along the Caltrain alignment will cause major and extremely significant impacts to me, my family, my neighborhood, and to the natural environment, none of which have been properly investigated and mitigated as the law requires. I158-1

Here, specifically, are the impacts that I personally know will occur, unless an alternative route is chosen, or unless the project is modified in significant ways:

- Noise: The existing at-grade Caltrain steel-wheels-on-steel-track (not including the crossing signals and the horns) is already easily heard, in spite of the considerable traffic on Charleston as far away as 20 houses from the line. The impact of the noise will increase substantially if the tracks are raised and there are more frequent trains.. The effect of this will be to increase the number of residences affected. Many of these in the southern part of Palo Alto are of Eichler design – floor to ceiling glass windows and sliding doors along the back of the house, opening onto a back garden, which, on Park, is next to the ROW. I158-2
- Vibration: There are a large number of residences along both sides of Alma, which abut the ROW, and they currently suffer from vibration each time a train passes. This, too, will be worse with raised tracks and more frequent trains. I158-3
- Sun: Raised tracks will cut off morning sun access to all the residences on Park, and cut off the view of the Coast Range from residences to the east of the ROW. I158-4
- Trees: There is currently some noise mitigation provided by the trees between the ROW and Alma and between the ROW and the back of the residences on Park. Raised tracks will likely eliminate trees on both sides, making the whole section appear 'industrial' rather than residential and increasing the noise of the trains. I158-5
- Safety: There are 11 schools on both sides of the ROW on Charleston and Meadow. Children cross the ROW to and from school. Raised tracks, whether on a berm or a series of pillars, invite graffiti and the darkened area under the tracks invites crime. We have had multiple problems of crime at the existing underpasses at Oregon and University, both near Caltrain stations. We don't need more places for people to wait to attack unsuspecting passers-by. I158-6

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I believe the law requires the Authority to do a much better investigation and documentation of the impacts I have described above – and not only in my neighborhood, but in all similar neighborhoods along the alignment you are proposing. Further, the law requires you to identify ways to eliminate or to mitigate these impacts to the greatest degree feasible. You should redesign the project to include measures to achieve that legal requirement, or choose a different alignment or project alternative that will have that effect. I158-7

I request you to revise the Draft EIR you have prepared, to address my concerns, and that you then recirculate such a Revised Draft EIR for further review and comment by the public. Thank you for taking my comments and concerns into account, as the California Environmental Quality Act requires.

Yours truly,

Caren Chappell

Cc: Mayor Pat Burt, City of Palo Alto,
City Council of Palo Alto

2

Response to Letter I158 (Caren Chappell, April 24, 2010)

I158-1

The Authority disagrees. The current Revised Draft Program EIR Material is part of the Authority's first-tier, programmatic CEQA compliance. The level of detail in the impacts analysis is tailored to the level of detail of the decision under consideration.

I158-2

More detailed information and analysis of nosie and vibration impacts and mitigation will be included in project-level EIR/EISs. The project-level vibration analysis will consider impacts to both typical structures and to historic structures that may be mor susceptible to vibration. Appropriate mitigation, if necessary, can be incorporated into the project design to buffer vibration at the source. The noise and vibration analyse at the project-level will include the cumulative impacts of existing noise and vibration sources (such as Caltrain) and proposed noise and vibration sources. See Standard Responses 3 and 5.

I158-3

See Response to Comment I158-2.

I158-4

Morning sun access is already obscured for many residences by trees and other landscaping within their own property. The 2008 Final Program EIR depicts HST running in a combination of at-grade and retained fill through South Palo Alto. This is shown in Appendix 2D, Sheet CC 4 of 6. In locations with retained fill, from north of Meadow Drive to south of West Charleston Road, the height of the fill is shown as 7 feet tall. This is approximately the height of the fences that currently line the properties along Park adjacent to the Caltrain right-of-way. A detailed impacts analysis of the HST will be undertaken as part of project level engineering and environmental analyses. Operational, construction, and maintenance impacts will be addressed as part of a project-level EIR/EIS. Specific locations and the scale of impacts would be further examined in detail at the project level because they are a product of the HST system design, and the detail necessary to identify the presence of the impact, the level of significance, and mitigation can only be done at the project level.

I158-5

The 2008 Final Program EIR assumes that Caltrain and HST would remain within the existing right-of-way at most locations, meaning that trees outside the right-of-way would not be removed, although some trimming could be required for vegetation intruding on the right-of-way. If there is a need to acquire adjacent properties for locations where the current Caltrain right-of-way is not wide enough to accommodate the addition of HST, replacement landscaping could likely be established outside the area required for rail operations. This landscaping could replace that removed for the project. Along potential retaining or sound walls, the introduction of vines to the concrete surfaces of columns and walls and dense landscaping to obscure columns and walls could soften the look of the concrete.

I158-6

An HST system Safety and Security Program Plan (SSPP) will be prepared at the project level to define safety and security goals and objectives. The SSPP will include a Crime Prevention through Environmental Design component in order to reduce opportunities for violence and crime. Potential deterrents to graffiti could include introducing vines to the concrete surfaces of columns and walls, dense landscaping to obscure colunns and walls, and maintenance agreements to ensure the timely removal of any potential graffiti.

I158-7

The Authority disagrees. The current Revised Draft Program EIR Material is part of the Authority's first-tier, programmatic CEQA compliance. The level of detail in the impacts analysis is tailored to the level of detail of the decision under consideration.

The May 2008 Final Program EIR identified general mitigation strategies to avoid or minimize significant environmental impacts. Mitigation strategies are general methods of avoiding and minimizing impacts that can be refined and tailored to project specific circumstances at the next tier of environmental review. The Authority will consider adopting these strategies when it makes a new program-level decision.

The Authority has revised and recirculated certain portions of the May 2008 Final Program EIR as the 2010 Revised Draft Program EIR Material. The purpose of the recirculated material is to comply with the final judgment of the Town of Atherton litigation. The Authority does not believe that additional revision and recirculation is necessary to fully comply with the court judgment and CEQA.

Comment Letter I159 (Sarah Carpenter, April 26, 2010)

I159

Kris Livingston

From: Sarah Carpenter [sarah_L_carpenter@yahoo.com]
Sent: Monday, April 26, 2010 2:59 PM
To: HSR Comments
Cc: city.council@cityofpaloalto.org
Subject: Bay Area to Central Valley Revised Draft Program EIR Material Comments

To whom it may concern,

A few items I feel have not been addressed adequately:

1. Ridership and revenue assumptions. Given that the local trains service is losing money due to a mix of challenges (maintenance costs and ridership) how can you guarantee no state subsidies, as this is the law? I159-1
2. It is not clear to me how you can start a project without 100% funding identified, especially when any guarantee return on investment or subsidies cannot be applied. I would like to see a complete funding schedule with named investors and their commitment to also paying for budget overruns so that the taxpayer is not on the hook for a poorly planned project. In the corporate world, no project would ever get started without documented funding and payment plan. Same must apply to any governmental projects. I159-2
3. HSR is a vision to connect the state with high speed rail – what kind of investment in local transit to integrate with this vision and again who will pay for this? I159-3

As you can see, I am very concerned about the total cost of this project as well as the ongoing costs and how cost overruns will be addressed, as we the taxpayers are not ready to be told it is too big to fail. I159-4

Sincerely,

Sarah Carpenter
Park Blvd.
Palo Alto, Ca 94306

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Response to Letter I159 (Sarah Carpenter, April 26, 2010)

I159-1

See Standard Response 4, Ridership Modeling and Standard Response 8, Business Plan.

I159-2

A study of the financing of the entire HST system is beyond the scope of this Program EIR, and was not identified by the Superior Court judgment in the Town of Atherton case as a topic area requiring additional work under CEQA.

I159-3

The HST system would improve inter-modal connectivity with local and commuter transit systems. Prop 1A ensures that complementary rail capital improvements would be funded by a $950 million portion of bond funds. These funds must be allocated to intercity, commuter and urban rail systems and shall provide direct connectivity and benefits to the high-speed train system and its facilities or be part of the construction of the system.

I159-4

Comment acknowledged.

Comment Letter I160 (William H. Cutler, April 25, 2010)

I160

Kris Livingston

From: Bigbillcutler@aol.com
Sent: Sunday, April 25, 2010 5:06 PM
To: HSR Comments
Subject: Bay Area to Central Valley EIR

To:
California High-Speed Rail Authority
925 L Street, Suite 1425
Sacramento, CA 95814
Attn: Bay Area to Central Valley Revised Draft Program EIR Material Comments

From:
William H. Cutler
4114 Park Blvd.
Palo Alto, CA 94306
April 25, 2010
650-493-8715
bigbillcutler@aol.com

Note: This document is being submitted both by fax and by e-mail in order to ensure that it is received by the California High-Speed Rail Authority prior to the submittal deadline at close of business on April 26.

Bay Area to Central Valley Revised Draft Program EIR Material Comments

PURPOSE

The purpose of this submittal is to inform the California High-Speed Rail Authority of certain conditions along the Caltrain right-of-way that bear on the selection of the route for the Bay Area to Central Valley segment of the California High Speed Rail System.

SCOPE OF COMMENTS

The comments on the High Speed Rail (HSR) Program EIR for the Central Valley to San Francisco segment as contained herein are specific to the 4100 Block of Park Blvd. in Palo Alto, and to adjacent portions of East/West Meadow, Charleston Ave., and Alma St. However, the issues raised are typical of many locations along the proposed HSR right-of-way. Therefore it is incumbent upon the California High Speed Rail Authority in the course of preparing the Program EIR to identify all locations along the right-of-way where the issues raised are applicable, and, for each such location, to identify potential impacts, assess means of avoidance of the impacts, assess means of mitigation if avoidance is infeasible, and to estimate associated costs. To do less, to attempt to shortcut this assessment, is to render the EIR invalid. I160-1

In particular, it is not adequate to base the Program EIR on an unverified blanket assumption of the number of impact situations of various types, an assumed magnitude of the impact of each type of situation, and an assumed cost of eliminating or mitigating the impacts. This approach was taken in the earlier submittal of the Program EIR and has been proven faulty in that it results in a gross under-estimate of impacts and their costs. As evidence of this, for one type of impact, an actual count shows that the number of schools within the impact range of the project was grossly under-estimated. The only valid approach to preparing the Program EIR is to identify specifically all instances where the HSR system will have an impact, and to assess, again specifically, the consequences. I160-2

TAKING OF PROPERTY AT GRADE SEPARATIONS

If a grade-level alignment of tracks is adopted, it will be necessary to raise or lower the elevation of cross streets at either end of the 4100 block of Park Blvd. in Palo Alto in order to affect grade separation. The cross streets are East/West Meadow and Charleston Ave. The elevation of Alma St., which runs parallel to and adjacent to the rail line, must also be raised or lowered in order to maintain connectivity at the intersections. The length of street involved in the ramp is taken to be 500 feet on either side of the track right-of-way centerline. This will result in the loss of driveway access to the street I160-3

1

for 29 single family homes, 7 apartment units, four business offices, and perhaps the Alma Plaza retail/residential development. The details are:

- Closure of Emerson St., a dead end, at East Meadow, resulting in the loss of access to 13 homes.

- Loss of driveway access to 5 homes on West Meadow.

- Loss of driveway access to 4 homes on Charleston, east of Alma.

- Loss of driveway access to 7 homes on Charleston, west of Alma.

- Loss of driveway access to 7 apartment units on East Meadow

- Loss of driveway access to 4 business offices on Alma St. northwest of East Meadow.

- Possible loss of street access to Alma Plaza on Alma St. northwest of East Meadow.

The impact of this taking, were it to occur, is both the monitory cost of compensating property owners for the loss of their property, and the personal cost to the owners or residents for the disruption of their lives. In at least one case, the residents of one of the properties are elderly and can not easily endure the disruption. I160-3 cont.

BICYCLE SAFETY AT GRADE SEPARATIONS

The ramps employed to blend the raised or lowered portion of the street at the grade separation with the adjacent grade-level street is 8%, as indicated in the reference material for the Context Sensitive Solutions Toolkit. This creates a safety hazard for bicyclists who use East/West Meadow or Charleston Ave. Many of these bicyclists are children on their way to or from school. Negotiating an 8% grade on a bicycle, particularly if starting from a dead stop at a traffic signal, is difficult and can result in a wobbly path for the bicycle. If the bicycle lane is adjacent to the vehicle lane and is not physically separated, an extremely hazardous condition exists. I160-4

VISUAL INTRUSION

The neighborhood along Park Blvd. in Palo Alto consists of single-story detached homes. If an elevated alignment, either berm or viaduct, is adopted for the rail line adjacent to Park Blvd., the resulting visual intrusion on the adjacent neighborhood is entirely unacceptable. Were a property owner in this neighborhood to apply for permission to build a structure at even a fraction of the scale of the elevated rail alignment, it would be immediately denied as an extreme violation of zoning. An elevated alignment for the rail line in a residential neighborhood is extremely inconsistent with the character of the neighborhood. I160-5

IMPACT ON NEIGHBORHOOD PARK

Robles Park is situated in the middle of the 4100 block of Park Blvd. in Palo Alto, across the street from the proposed rail line. Two children's play areas and a picnic area are within approximately 200 feet of the rail line. Noise, dust and other forms of pollution from the rail line currently impinge on these activity areas, degrading their usefulness and enjoyability. This situation is at present tolerable with the current frequency of passage of trains on the line. As demand grows, the frequency of both Caltrain trains and High Speed Rail trains will increase to a level which may prove intolerable, and destructive of the intended purpose of the park. I160-6

2

Response to Letter I160 (William H. Cutler, April 25, 2010)

I160-1

See Standard Response 2 regarding the tiered EIR process and Standard Response 3 regarding the level of detail for impacts analysis and mitigation in the program-level EIR. Detailed analysis at the project-level EIR/EIS will evaluate site-specific impacts. Feasible mitigation measures will also be discussed at the project-level.

I160-2

The Authority disagrees that impacts and mitigation measures were not properly investigated. The current Revised Draft Program EIR Material is part of a first-tier, programmatic environmental review process examining the impacts of 21 network alternatives at a broad level of detail. See also Standard Response 2 regarding the tiering process allowed under CEQA.

I160-3

See Response to Comment 1136-7.

I160-4

See response to comment L012-22.

I160-5

The 2008 Final Program EIR depicts HST running in a combination of at-grade and retained fill through Palo Alto. This is shown in Appendix 2D, Sheet CC 4 of 6. The height of the fill varies from 7 to 15 feet, with the majority of the alignment somewhere between zero and seven feet. This is well within the range of the height of typical homes in Palo Alto.

A detailed impacts analysis of the HST will be undertaken as part of project level engineering and environmental analyses. Operational, construction, and maintenance impacts will be addressed as part of a project-level EIR/EIS. Specific locations and the scale of impacts can be further examined at the project level because they are a product of the HST system design, and the detail necessary to identify the presence of the impact, the level of significance, and mitigation can only be done at the project level.

I160-6

The 2010 Revised Draft Program EIR Material addresses those topics identified in the final judgment for the Town of Atherton litigation as requiring corrective work under CEQA. Public parks and recreation was not one of those topics. Parks and recreational issues are discussed Chapter 3.16 Section 4(f) and 6(f) Resources (Public Parks and Recreation) of the 2008 Final Program EIR. More detailed analyses related to impacts on recreational resources during construction and operation, including Robles Park, will be performed during the project-level EIR/EIS analysis when more detailed design and location information will be available. See also Standard Response 3.

Comment Letter I161 (James P. Callahan, April 22, 2010)

I161

Dan Leavitt
California High Speed Authority
925 L Street
Suite 1425
Sacramento
CA. 95814

APR 2 2 2010

James P. Callahan
The Palo Alto
101 Alma Street, #1101
Palo Alto
CA. 94301

22 April, 2010.

Dear Mr. Leavitt,

Re: Impact of High-Speed Rail on The Environment at the Palo Alto, 101 Alma Street, Palo Alto.

Our houses are not only our most important financial asset, but also most important to our quality of life.

Our building, the Palo Alto, at 101 Alma Street, Palo Alto, is in a quiet residential neighbourhood. It has a beautiful, carefully planned garden and tall trees. These act as a natural screen to Alma Street and to the railroad immediately to the West. The landmark coast redwood tree, El Palo Alto, now over 1000 years old, stands immediately to the west of the railroad. Our building has only one entrance/exit onto Alma Street. I161-1

The heavy construction work needed for high-speed rail in this neighbourhood would have disastrous environmental impacts. Our trees would be damaged or cut down. Plant and wild life would be destroyed. Noise and vibration would add to the lessening of the quality of our lives, and to the deterioration of the neighbourhood. Property values would be badly affected. We are trying very hard to protect our environment here.

Yours sincerely

James P. Callahan.

Response to Letter I161 (, April 2, 2010)

I161-1

The 2008 Final Program EIR assumed that Caltrain and HST would remain within the existing right-of-way at most locations, meaning that trees outside the right-of-way would not be removed, although some trimming could be required for vegetation intruding on the right-of-way. If there is a need to acquire adjacent properties for locations where the current Caltrain right-of-way is not wide enough to accommodate the addition of HST, replacement landscaping could likely be established outside the area required for rail operations. This landscaping could replace that removed for the project. In locations where existing trees exist on the Caltrain right-of-way, design and engineering undertaken as part of the project-level EIR/EIS will determine if they are located where they cause no interference with the future rail operations.

Comment Letter I162 (George Chaltas, April 26, 2010)

I162

Kris Livingston

From: George Chaltas, New Mind Marketing [george@newmindmarketing.com]
Sent: Monday, April 26, 2010 1:11 PM
To: HSR Comments
Subject: 2008 Bay Area to Central Valley High-Speed Train HST Final Program EIR/EIS.

I beg you to agree to the only logical approach to routing the California High Speed Train through Palo Alto: underground funnel. I162-1

Thank you for your consideration.

George Chaltas

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Response to Letter I162 (George Chaltas, April 26, 2010)

I162-1

See Standard Response 10 regarding vertical profile alternatives.

Comment Letter I163 (Neva Yarkin, April 19, 2010)

I163

Kris Livingston

From: neva yarkin [nevayarkin@gmail.com]
Sent: Monday, April 19, 2010 3:09 PM
To: HSR Comments
Subject: comments on High Speed Rail, from Neva Yarkin
Attachments: HSRletter.doc; ATT00001.txt

April 19, 2010
Comments@hsr.ca.gov

From Neva Yarkin, resident of Palo Alto, California
133 Churchill Ave.
Palo Alto, CA
nevayarkin@gmail.com

"San Francisco to San Jose High Speed Rail Segment"

I have several concerns that I would like addressed by the High Speed Rail.

Environment Issues

1) If a high-speed train derails, what disaster services would be in place for my city, Palo Alto? What heavy equipment will service Palo Alto to lift trains off of houses, help injured people, provide medical services and fire services that will be needed in case of a deadly disaster? Where will the heavy equipment be stored for Palo Alto? How much will this cost and who will pay for this??? I163-1
2) Sound Vibrations. I live 5 houses from the proposed High Speed Rail train. If the High Speed Rail goes underground, or above ground, I want to know what vibrations will transmit to my house? With trains traveling at 120 mph, what will be the air waves/turbulence on my neighborhood (Old Palo Alto)? I163-2
3) With the noise, vibration and air turbulence will my house lose market value? What compensation will I be entitled to? I163-3
4) Will there be train whistles? If so, what will be the noise levels, and how much during peak train hours, frequency, off hours, and at night? I163-4
5) During construction the noise levels will affect me. What can be done about that? I163-5
6) While High Speed Rail is under construction, where will heavy equipment be stored? I163-6
7) While under construction, what alternative roads through Palo Alto will be used? Please give names of streets. Has money been allocated for personnel to direct traffic on alternative routes? What will this cost? I163-7
8) Many people use the walking and bike path from Churchill Ave. to downtown Palo Alto. What will happen to this bike path? I163-8
9) The underground pedestrian tunnel, on Homer and Alma in Palo Alto was recently completed at the cost of 5 million dollars. What will happen to this tunnel? I163-9
10) I use the Palo Alto High School track to run. What will happen to this high school track, which was just completed for 1 million dollars? I163-10
11) At the intersection of Alma and Churchill Ave. there are high school students going to school, heavy car traffic going to Stanford, pedestrian heavy bike usage, elementary school students walking to school; what are you proposing to do with this major intersection (train crossing)?? I163-11

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Comment Letter I163 - Continued

Since the State of California is bankrupt, most cities in California are bankrupt, (Palo Alto has projected 8.3 million deficit) the local train (Caltrains- train from San Francisco to San Jose) is bankrupt, and where will this money come from? Who are your private donors? Being realistic the estimate cost of 45 billion is outrageously high and where will this come? What happens if the cost goes over your estimate? Where will the extra money come from? I163-12

April 26, 2010

Comments@hsr.ca.gov

From
Neva Yarkin
133 Churchill Ave.
Palo Alto, CA 94301
nevayarkin@gmail.com

"San Francisco to San Jose High Speed Rail Segment"

One last concern that I think needs to be addressed by the High Speed Rail.

Vibration of the High Speed Rail will be strong enough to potentially effect sensitive equipment (including a new MRI for the new breast clinic) that is being built for the Palo Alto Medical Clinic. What effect will the High Speed Rail have on the MRI, And other sensitive medical equipment used by the Palo Alto Medical Clinic? Will this equipment have to be moved to another location? How much will that cost? I163-13

Response to Letter I163 (Neva Yarkin, April 19, 2010)

I163-1

Comment acknowledged. The potential need for additional public services that may create environmental impacts is beyond the scope of the Program EIR. High-speed trains are one of the safety modes of travel worldwide. See Chapter 2 of the 2008 Final Program EIR. We do not agree that in the event of a derailment it would be necessary to "lift trains off of houses."

I163-2

See Standard Responses 3 and 5.

More detailed information and analysis of nosie and vibration impacts and mitigation will be included in project-level EIR/EISs.

I163-3

See Standard Response 6 regarding property values.

I163-4

The HST system will need to be completely grade separated on the peninsula corridor, eliminating both the train horn noise and the bell noise from the grade-crossing protection devices.

I163-5

As discussed in Response to Comment I063-2, more detailed information and analysis of noise impacts and mitigation will be included in project-level EIR/EISs. This analysis will include analysis of construction-period noise impacts and mitigaiton.

I163-6

See Response to Comment 1052-5 regarding construction.

I163-7

See Response to Comment 1052-5 regarding construction.

I163-8

The project-level traffic impact analysis study will evaluate the effect of the project on existing and planned pedestrian and bicycle facilities. Detailed information and analysis of potential traffic impacts including impacts to pedestrian and bike facilities and feasible mitigation measures will be included in project-level EIR/EISs.

I163-9

See Response to Comment I163-8.

I163-10

See Standard Response 6 regarding property values.

I163-11

The Authority appreciates the comment. As noted in Chapter 2 of the 2008 Final Program EIR, the HST rail corridor will be fully grade separated. Therefore the existing at-grade crossing of Churchhill Avenue will need to be eliminated increasing public safety. Details of the elimination of this crossing will be forthcoming during the project level environmental and engineering process. The Authority will consider the comment as part of the project-level EIR/EIS processes.

I163-12

The Authority disagrees with the comment. For more information on the funding plan, please see the Authority's Business Plan. Also see Standard Response 8.

I163-13

See Response to Comment I163-2.

Comment Letter I164 (William H. Warren, April 12, 2010)

I164

April 12, 2010

Mr. Robert Doty
California High Speed Rail Authority
925 L Street, Suite 1425
Sacramento, CA 95814

Attn: San Francisco to San Jose Section Preliminary Alternatives Analysis Report Comments

Dear Mr. Doty,

I attended the HSR Meeting in San Jose this past Thursday, April 8, 2010. I appreciate the efforts you are making to work toward reasonable solutions to an extraordinary set of very complicated problems.

I am sending you a copy of a Comment response I am submitting regarding the Bay Area to Central Valley EIR. I am not asking you to deal with this submission, I trust Mr. Leavitt will take care of it.

Instead, I am offering you this EIR document because it also should be considered as supporting material for this Comment regarding the "San Francisco to San Jose Section Preliminary Alternatives Analysis Report".

The key point I wish to make is that I am not convinced that the volume of traffic between San Francisco and San Jose will ever justify the 4 tracks that you are recommending. I164-1

As you will see on page 3 of my Comment document, in paragraph 2.a, I believe the San Francisco 2035 Boardings numbers are not realistic, because they have Oakland/East Bay traffic numbers included in them. As an attachment to my Comment I have also included a document titled "Recommended Changes To The High Speed Rail Implementation Plan", with a revised date of March 9, 2010 and its 5 Exhibits, A to E. I have included a copy for your review.

Please see pages 2, and 3 to 5 in my "Recommended…" document and the Exhibits A, B and C which I refer to in my document. You will see, in Exhibit B, that the current forecast for San Francisco is 24,000 Boardings per day in 2035. If I am correct, once the Boardings are removed for Oakland and Sacramento, and the system is built out to these counties per AB 3034, the San Francisco forecast is in the range of 4,000 to 5,000 Boardings per day in 2035; this is shown on the first page of Exhibit C. This view of 2035 is much different that the current forecast (per the 2009 HSR Business Plan), I believe this will be validated by the new Boardings Forecast that is going to be done and included in the Revision to the Business Plan that was discussed in the meeting last Thursday.

For your information I have sent a letter to Mr. Pringle recommending that he direct the new Daily Boardings forecast work, which is to be done, to incorporate all the corridors specified in AB 3034, not just the initial Phase One segments between San Francisco and Anaheim.

Again, please see pages 2, and 3 to 5 in my "Recommended…" document and the Exhibits A, B and C which I refer to in my document. You will see, in Exhibit B, the current forecast for all the stations in the initial phase from San Francisco to Anaheim for 2035. As discussed in pages 3 to 5 of my "Recommended…" document I compared them to the populations of the counties to be served by the HSR System. As you will see the Boarding numbers for both San Francisco and Anaheim are dramatically out of the range of reasonableness compared to their populations, until you incorporate the northern counties into the San Francisco numbers and the southern counties into the Anaheim numbers.

Please then look at Exhibit C, which I created after defining a Phase Two for the HSR System that connects to Riverside and San Diego, and a Phase Three that connects to Oakland and Sacramento. I then moved the traffic, in Exhibit B, for those counties to their new stations and I have a view of the entire system, as defined by AB 3034, in 2035. I believe this view of 2035 is much different that the current forecast (per the 2009 HSR Business Plan), and should help you and your team make the decisions you need to make, for the initial Phase One (such as the numbers of tracks between San Francisco and San Jose, and the number of platforms in the Transbay Terminal), while keeping in mind the bigger picture of the entire HSR system on the 2035 time period. I164-1 cont.

Lastly, if you have a minute to scan the first page of my "Recommendations…" document you will also see that I believe the current sequencing of the construction of the segment can be improved upon, given the funding situation. If you would like to discuss these thoughts, please let me know

If I can be of additional help, I would be glad to help. I come from two generations of Southern Pacific railroad families, and I believe the State of California needs to deal with its traffic problems, at both the regional and the state level. Hopefully, my suggestions will be of some help. I am also including a document that covers my background, which shows I am not a high speed rail professional, but someone with a lot of business experience.

Thank you,

William H. Warren

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Comment Letter I164 - Continued

Mr. Dan Leavitt
California High-Speed Rail Authority
925 L Street, Suite 1425
Sacramento, CA 95814

April 12, 2010

Subject: Comments Regarding the Bay Area to Central Valley, Revised Draft Program EIR Material, dated March 2010

Dear Mr. Leavitt,

Background:

It is my understanding that the High Speed Rail project follows the Environmental Review process, which is governed by the California Environmental Quality Act (CEQA). CEQA law evidently specifies in great detail the steps that must be taken and the contents of the Environmental Impact Report (EIR) that must be completed to legally certify the project. Certification means the EIR has legal status for decision-makers.

The lead agency (which in this case is the California High Speed Rail Authority) is responsible for preparing the EIR and then eventually certifying it. This means your organization is a "self-certifying agency." Self-certification means the California High Speed Rail Authority has the legal right to decide that the document, as written, complies with the legal requirements of an EIR.

It is also my understanding that an EIR is supposed to describe the environmental impacts of the proposed project and those of a number of alternative plans. The alternative plans considered are intended to cover the full range of feasible alternatives. The ultimate decision of the final alternative is made by the Board of Directors of the California High Speed Rail Authority. I164-2

Lastly, the potentially feasible alternatives must be discussed in the EIR in "meaningful detail," and provide sufficient "information to the public to enable it to understand, evaluate, and respond" to the agency's conclusions. The discussion in the EIR should "contain facts and analysis, not just the agency's bare conclusions or opinions."

Area of Concern Where I would like a Response:

With these points in mind, I understand that the above referenced EIR document discusses the logic and reasons regarding the proposed plan to use Pacheco Pass, over the alternative plan of using the Altamont Pass, as the route to bring HSR traffic into the Bay Area. All these points are covered in Sections 6 and 7 of the document.

The EIR states that, with the recommended Pacheco Pass plan, service to Oakland will be via BART and Capital Corridor trains, or AC Transit or BART (via the Transbay tube) to downtown San Francisco.

See Section 7 of the document, specifically the changes that have been made in Section 7.3.1. The changes in the first paragraph state that the rationale for the selection of Pacheco Pass is included in this section of the EIR. Based on the reasoning I will present in the following paragraphs, I believe that that the changed sentences now made in Sections 7.3.1, and the rest of this section, which is referenced in these changed sentences, are no longer correct or adequate, and must be updated, because they ignore current law. I164-2 cont.

Additionally, there are changes that need to be made on pages 7-12, 7-13, 7-24, and 7-30, if Section 7.3.1 is not correct. Lastly, for your information, these points are also made in the December 2009 HSR Business Plan, for the initial Phase One of the HSR System – the San Francisco to Anaheim corridor; corrections will be needed to this document as well.

My reasoning is as follows:

1. It is my understanding that with the Legislature's 2008 approval of AB 3034, and the subsequent passage of Proposition 1 A in 2008, there is now a state law requirement that service from San Francisco to Los Angeles must not exceed 2 hours and 40 minutes, and that no change of train will be required to travel throughout the corridor (i.e. – Caltrain from San Francisco to HSR in San Jose is not an acceptable alternative). Please see Section 2704.09 of AB 3034, (b) – (1), and (f).

2. Additionally, AB 3034 and Proposition 1A also state that service from Oakland to Los Angeles must not exceed 2 hours and 40 minutes, and that no change of train will be required to travel throughout the corridor. Please see Section 2704.09 of AB 3034, (b) – (2), and (f).

3. The Section of AB 3034 I am referencing is as follows (in case my use of "Section" is not correct):
"2704.09. The high-speed train system to be constructed pursuant to this chapter shall be designed to achieve the following characteristics: I164-3
(a) Electric trains that are capable of sustained maximum revenue operating speeds of no less than 200 miles per hour.
(b) Maximum nonstop service travel times for each corridor that shall not exceed the following:
(1) San Francisco-Los Angeles Union Station: two hours, 40 minutes.
(2) Oakland-Los Angeles Union Station: two hours, 40 minutes.
(3) San Francisco-San Jose: 30 minutes.
(4) San Jose-Los Angeles: two hours, 10 minutes.
(5) San Diego-Los Angeles: one hour, 20 minutes.
(6) Inland Empire-Los Angeles: 30 minutes.
(7) Sacramento-Los Angeles: two hours, 20 minutes.
(c) Achievable operating headway (time between successive trains) shall be five minutes or less.
(d) The total number of stations to be served by high-speed trains for all of the corridors described in subdivision (b) of Section 2704.04 shall not exceed 24. There shall be no station between the Gilroy station and the Merced station.
(e) Trains shall have the capability to transition intermediate stations, or to bypass those stations, at mainline operating speed.
(f) For each corridor described in subdivision (b), passengers shall have the capability of traveling from any station on that corridor to any other station on that corridor without being required to change trains."

4. Therefore, I believe the EIR is now out of date relative to HSR service to Oakland, with the passage of AB 3034 and Prop 1A. It is my understanding, that under CEQA, the EIR must

1

2

Comment Letter I164 - Continued

discuss the environmental impacts of program, projects, and activities that are contemplated and which are consistent with current, not past, law. It appears to me that now, legally, there must eventually be a direct HSR link to Oakland, either via Pacheco Pass and San Jose, or via Altamont Pass. Otherwise, I do not see how passengers from the Oakland area to Los Angeles will not exceed the 2 hour and 40 minute mandate in AB 3034. Additionally, as stated in the EIR, and the HSR Business Plan, Oakland passengers will be required to use AC Transit or BART to get to the HSR terminal in San Francisco, or BART to San Jose, or San Jose or Stockton via a Capital Corridor Train. In other words, the Oakland passenger will need to be making a transfer to get to Los Angeles, but AB 3034 says such a required transfer by this Oakland passenger is not permissible. I164-3 cont.

5. I understand that the Oakland part of the HSR system is going to be in a subsequent Phase of the HSR Program, but I do not believe it is correct, or appropriate, to ignore the long term consequences of the mandates of AB 3034 in making assumptions within the EIR under review, or the HSR Business Plan, for the initial Phase One, which was published in 2009.

6. Eventually, and legally, it appears to me, that a direct HSR link will need to reach Oakland. If so, it will need to come through the Pacheco Pass and San Jose, or over the Altamont Pass. The financial and environmental consequences of these two legal mandates, for the Oakland route, must be factored into decisions being made today, for the initial Phase One HSR path to San Francisco.

Therefore:

I respectfully request that the financial and environmental consequences these two Oakland mandates be incorporated into the next revision of this EIR. Examples of these consequences would include: I164-4

1. If the Oakland route is going to go through San Jose, what are the environmental and financial consequences that are need to be planned for in the construction of the San Jose station for Phase One (going to San Francisco) of subsequently going to Oakland as well? For example, what are the environmental and costs impacts of building a station that would have a split northern line, with a line to San Francisco to the west and a line to Oakland to the east? If the Oakland route is going to go through the Altamont Pass, I presume there is no impact on the San Jose station.

2.a. As the Daily Boardings numbers for 2035 for San Francisco, as documented in the 2009 Business Plan, incorporate (I believe, from references to this point in the December, 2009 Business Plan) traffic from the East Bay, I think these East Bay Boardings need to be removed from the San Francisco forecast. As I just said, I believe there are East Bay Boardings in the San Francisco forecast. I would like to submit, as part of this package, a body of work I prepared in March of 2010, which speaks directly to this point. It is the attached document "Recommended Changes To The High Speed Rail Implementation Plan", with a revised date of March 9, 2010 and its 5 Exhibits, A to E. As you will see, I forecast a dramatic reduction in San Francisco Daily Boardings, when the East Bay traffic is removed from the traffic forecasts for San Francisco. Please see pages 2, and 3 to 5 in my document and the Exhibits A, B and C which I refer to in my document. If my forecasts, in Exhibit C, are approximately correct, the 2035 I164-5

Daily Boardings in San Francisco will not be 24,000 per day, but will be down in the range of 4,000 to 5,000 per day. Please also note that my forecast in Exhibit C for Daily Boardings in 2035 in Oakland will be in the 10,000 to 12,000 range and Sacramento will be in the 8,000 to 10,000 range, compared to the San Francisco range of 4,000 to 5,000. Whatever the revised San Francisco forecasts turn out to be, they will most probably be much lower than those in the December 2009 Business Plan. If there are environmental and financial consequences to a reduction in the Daily Boardings in San Francisco, they need to be stated. I164-5 cont.

2.b. Additionally, the December 2009 Business Plan's Annual Boardings are in the range of 40M per year for the San Francisco to Anaheim corridor, which is less than half of the Annual Boardings referred to in the EIR (which predates the December 2009 version of the HSR Business Plan). Clearly, the Boardings numbers in the EIR need to be reduced; first, to match the 2009 Business Plan numbers and then, second, to remove Easy Bay traffic from the San Francisco Boardings.

2.c.1 I believe these two reductions will impact the number of trains per hour, possibly the size of the trains, and maybe the number of station platforms needed in San Francisco. If the current plan of 4 tracks in the San Francisco Transbay Terminal is sufficient for San Francisco Boardings of 24,000 per day in 2035, then it is highly possible that 2 tracks would be sufficient if the new forecast is in the range of 5,000 per day.

2.c.2 Most importantly, these reductions could lower the 2035 projected volume of traffic to the point where 2 tracks will be sufficient for joint use by both HSR and Caltrain between San Francisco and San Jose, as opposed to 4 tracks, given the technical work that is now being done to allow these systems to safely share tracks. The financial and environmental consequences of a change from 4 tracks to 2 tracks would be a significant change to the EIR and the next revision of the HSR Business Plan. This would lead to possible significant reductions to the environmental consequences of the HSR system on the San Francisco to San Jose corridor. I164-6

In Closing:

I trust you will respond to these comments in a constructive and timely manner. If I can provide any additional information, or explanation of my points, please contact me at the addresses below.

Thank you,

William H. Warren

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Comment Letter I164 - Continued

RECOMMENDED CHANGES TO THE HIGH SPEED RAIL IMPLEMENTATION PLAN

March 1, 2010, Revised March 9, 2010
William H. Warren

MANAGEMENT OVERVIEW

The Risks of the Current High Speed Rail Plan

The State's High Speed Rail Plan of December 2009 intends to launch 7 segments at one time to get Phase 1 (San Francisco to Anaheim) done by 2020. This is a very dangerous strategy as there is no way to know if the funding will be there to complete the tasks, such as Federal and private sources. The plan is to raise enough money to be able to start all segments in the next two to three years (construction on all segments is scheduled to start between early 2012 and early 2013), hope the additional money shows up, and be done by 2020.

- There is high risk that federal grants (no repayment) will shrink or dry up over the next few years, but federally backed loans might be possible. The High Speed Rail (HSR) plan may not be able to service $42B in debt and equity investors (who expect a reasonable return on their investment), but the real issue at the moment is Up Front Cash Flow. I164-7

- The plan says that if funding issues require the segments need to be spread out over time, then, for example, once the San Francisco to San Jose segment is done, then the San Jose to Merced segment can be added. Additionally, once the Anaheim to Los Angeles segment is done, then the Los Angeles to Palmdale segment could be added.

- I believe this is not the correct "segment sequencing" strategy, as it consumes precious capital, and does nothing to focus on getting the high speed links done and to be able to demonstrate the system's long range and high speed capabilities. I believe it is critically important that the sequence, of segments to be started, be clearly agreed to, and managed to, so that the business objectives of the HSR system can be met in the shortest time possible. Simply put, if only half of the $42B is ever raised, in the example above, the San Francisco to San Jose segment in Northern California, and the Anaheim to Los Angeles to Palmdale segments in Southern California are all that would be built. We would have paralleled two existing transit systems, and the State would have "Two Bridges To Nowhere"

Alternative Sequence of Segments

I recommend the State consider doing the 4 segments from San Jose to Palmdale first. This would only be 51% of the funds needed, by 2019 or 2020, and 73% of the distance from San Francisco to Anaheim would have been completed. This would provide a functional HSR system, with local transit systems at both ends. Work on all 4 of these segments could begin as soon as $8B to $9B in additional Federal funds can be secured for the HSR Plan. I164-8

I do not believe there is any statement in AB 3034 that dictates which segments must be done in which order. AB 3034 just says to do the San Francisco to Anaheim corridor before working on the other corridors, such as to Sacramento, or to San Diego. I164-9

When the last 45% to 50% of the funds, about another $20B, become available (the last of the Federal dollars and the Local and Private Funding), the Palmdale to Los Angeles, the Los Angeles to Anaheim, and then the San Jose to San Francisco segments can be started. These are the most costly segments (in $'s/mile), and can be deferred (at a practical level, as there are existing local transit systems in place). I164-10

- At the same time, the Bay Area Caltrain needs to do their electrification project to get their capacity and speeds increased by 2015 and BART needs to be completed from Fremont to San Jose/Santa Clara. These will pave the way for HSR when it comes to the San Francisco to San Jose segment.

- I expect there are similar requirements in the Los Angeles area, but I am not aware of them. It does appear to me that the Los Angeles Metro Link line from Palmdale to Los Angeles Union Station is currently just a local, with many stops along the way. The insertion of some "baby-bullet" trains into the schedule (just like the "baby-bullet" trains on the Caltrain line between San Francisco to San Jose) would be a good thing to consider until the Palmdale to Los Angeles HSR segment is operational. I164-11

The Boarding Numbers Are Misleading

I believe the San Francisco Boarding numbers, in the current HSR Plan are confusing and very misleading, in that they appear to me to include boardings from the East Bay counties. This will never really happen, as initially many of the East Bay passengers will use BART to go to San Jose, not San Francisco. Subsequently, as the HSR system grows, these East Bay passengers will be served by the Oakland and Sacramento HSR stations. I believe the projected San Francisco Daily Boardings of 24,000 in 2035 will be more in the 5,000 range. This is a major point of confusion in the current Business Plan, and will lead to incorrect capacity planning on the San Francisco to San Jose segment, and for the San Francisco Transbay Terminal, on which the HSR currently plans to spend about $1B. I164-12

The same is true about the Anaheim Boarding numbers, as it appears they include the boardings from the counties of San Diego and Riverside. As the HSR system grows into these two counties, these passengers will not be going to Anaheim. I believe the projected Anaheim Daily Boardings of 23,500 in 2035 will be more in the 8,000 to 10,000 range. This is another serious point of confusion in the current Business Plan and could lead to incorrect capacity planning on the Los Angeles to Anaheim segment, and the Anaheim station. I164-13

Supporting This Overview

Following this Overview are a six page Detailed Analysis dealing with these points, and a one page Summary sheet. Attached are 6 Exhibits which are referred to in the Detailed Analysis. I will not be commenting on the operating revenues and costs as I have no rail traffic experience in this area. Comments and suggestions are welcome and can be sent to williamhwarren@stanfordalumni.org. I164-14

Comment Letter I164 - Continued

DETAILED ANALYSIS

A Better Long Term View of Daily Boardings View for the Entire System

State of California Centers of Population

To get a better understanding of these Boarding issues, I have attached three charts.

The first chart, Exhibit A, is a map of California, highlighting the 15 largest (in population) counties in the state. The HSR system will serve all 15 of these counties. I have also highlighted 4 other counties, through which the HSR system will go, or which are near a HSR station. These 19 counties contain a 2009 population of 33M, which is 85% of the total state's 39M population in 2009. I view the 33M as the population being "served" by the HSR system.

When one looks at this map, the 9 counties from Santa Clara and Santa Cruz, north, represent 27% of the served population of 33M, or about 9M. I refer to this group of counties later, as the Northern Region. In the center, from Merced, in the north, to Kern, in the south, these 4 counties represent 7% of the served population, or about 2M. This is my Central Region. In the south, from Ventura, Los Angeles, and San Bernardino, down to the border with Mexico, these 6 counties represent 67% of the served population, or about 22M. This is my Southern Region. In summary, the Southern Region's served population is 2/3's of the total served population, and the Southern and Central Region's served populations, combined, are almost 3/4's of the total served population. The population data is shown on Exhibit B.

I164-14 cont.

Phase 1 Daily Boardings

The second chart, Exhibit B, looks at Boardings, by County, in 2035, with just the HSR Phase 1 segments and stations in place. I assigned to each of the HSR Table D 2035 Daily Boardings, which are by station, the respective counties that would provide the served population to support these Boardings. At the bottom of the chart, you see that the 120,700 in total 2035 Daily Boardings, in Table D, can be measured against the 2009 served population in these 19 counties of 32.6M. This gives a measurement of 1.35 Boardings per person in 2035, for all of the counties served by Phase 1. One could argue that the population of the state will grow in the next 25 years, thereby lowering this measurement. Others would argue the population may be flat, or actually decline if the current recession continues. As long as this methodology is held constant, as I plan to do, it will allow me to compare this measurement across the segments, the stations, and the expansion of the HSR system during my Phase 2 and 3. I do not have any direct experience that would tell me if these Daily Boarding forecasts make sense. Surely rail transportation experts can validate these numbers.

I recognize the HSR team is using a very sophisticated model to arrive at the Daily Boarding numbers. However, the simplistic approach I am using, of comparing Boardings to the "served populations" of the counties impacted by the HSR should give an order of magnitude approximation of consistency across segments and stations. Where there are major variances, these variances need to be understood, which I will attempt to do below.

3

The five stations that are part of the Northern Region are shown in the top three sections of the chart. Note the San Francisco Transbay station ratio of 10.40, when measured against just the population of the County of San Francisco. However, if one adds in the other counties I have listed; you see the station ratio drop to 1.51, within 10 % of the overall state ratio of 1.35. Note that 4 of the counties I included are in the East Bay. This is why I believe these counties contributed to the San Francisco Boarding number of 24,100 per day. I believe once BART is connected to San Jose, it might no more than 10 to 15 minutes additional to take BART to San Jose, as opposed to taking BART to San Francisco and then HSR to San Jose; and for anyone south of Oakland it may take less time to just go to San Jose on BART. I would also expect it would be cheaper to go directly to San Jose from Oakland on BART. You will note that for San Mateo County, the ratio is 3.13, also high. But I suspect it is due to the Boarding assumptions for the San Francisco Airport, because without the Milbrae/Airport Boardings, the ratio would drop to about 1.9.

In the Central Region, I have no idea why the Boardings ratio in Merced is so high, at 7.54. This needs further study. The other three counties seem about right.

In the Southern, the northern most three counties are served by 5 stations, with a ratio of 1.1. To the south, the Anaheim station ratio is in the right ball bark, after the counties of San Diego and Riverside are factored in.

I164-14 cont.

These conclusions are also consistent with Table C, on page 72 of the HSR Plan, where annualized 2035 boarding projections are discussed, including boardings from the San Diego and Sacramento areas, as well as the Bay Area, which I believe includes Oakland.

This leads me back to the point I made earlier, that the Phase 1 termination stations of Anaheim, in the south, and San Francisco, in the north, have Boarding numbers influenced by counties that are served by existing transit systems and which will eventually have their own HSR stations with the completion of Phase 2 and 3. This point of confusion may lead to construction costs that are not needed in these two segments and stations.

Phase 2 and 3 Daily Boardings

The third chart, Exhibit C, expands on the Phase 1 baseline in the previous chart, and adds the other corridors called for in AB 3034. I used the same Boardings but placed them in the cities and counties that made sense. I referred to the expansion of the Southern Region HSR corridors as Phase 2, and the expansion of the Northern Region corridors as Phase 3. This sequence, of defining my Phase 2 and Phase 3, is simply because about 67% of the state's population resides in the southern part of the state, so the logical place to expand the system, first, is in the south. When viewed this way, it also highlights what the real San Francisco and Anaheim Boardings will probably be, long term.

In the Northern Region, you will see I removed the four East Bay counties and allocated them to three new stations, Oakland and Sacramento/Stockton. I allocated the Daily Boardings to these stations, based on the ratio I had for Phase 1, of 1.51, for these counties when they were in the San Francisco Boardings. This shows the long term Daily Boardings for San Francisco is in the range of 4,000 to 5,000, as opposed to 24,100, and this is about 50% of my projected Daily Boardings for Oakland.

4

There are no changes in the Central Region.

In the Southern Region, you will see I removed the Riverside and San Diego counties from the Anaheim station and allocated them to two new stations, Riverside and San Diego. I allocated the Daily Boardings to these stations, based on the ratio I had for Phase 1, of 1.02, for these counties when they were in the Anaheim Boardings. This shows the long term Daily Boardings for Anaheim, plus the new station of Irvine is in the range of 8,500 to 9,500, as opposed to 23,500, and this is about 60 % of my projected Daily Boardings for San Diego.

I164-14 cont.

I think that since I considered all of the populations of the counties of San Bernardino and Riverside to be part of the "served population" in the Southern Region I have pulled down the ratios to the 1.0 to 1.1 range. If some of the populations of these two counties are too far to the east of the HSR stations to truly be served by the HSR system, then the served populations would be smaller and these ratios would start to approach the state average. Clearly another area of possible further study.

Analysis Of Funding Timing

Current Business Plan

In the first page of Exhibit D, I have summarized the current projected Funding Sources the HSR System Plan is based on. This is from page 106 of the December Plan. Just below this data, I have summarized the Segment and Vehicle Spending plans shown on Page 85, Table 1, of the December Plan. I have taken these costs estimates for the segments and vehicles at face value. I have highlighted the year that construction is to start of each segment in blue and the peak spending year in brown. Even if these estimates need to be adjusted in the future, I do not suspect it would change my conclusions. Note that, in the years that construction is to start for all the segments, just 13% to 29% of the funding is shown to be available. Unless all $42B has been contractually committed by 2013, even though the funds may not be available until later, I do not understand how construction can start on all the segments. Just below these sources and uses of cash, taken from the Plan, I created a "Current Funding Gap" analysis to see if the two cash flows balance. At the moment, there is a gap in 2018 and 2019 that is in the $1B range, on a cumulative basis, but out to 2035, the cumulative gap is less than $.1B, so this is a good set of data to base my analysis on.

I164-15

Worst Case Funding Impact On Current Plan

I then did a worst case analysis of having the Federal funding stretch out over time to 2019, as opposed to being completed by 2016 (a 3 year slip), and the Local Contributions and Private Funding occur in the 2020 to 2025 period (a 6 year slip). (These amounts are highlighted in yellow on the bottom of the page.) If all 7 segments are done in parallel, they will all "starve for cash", with the result being that the San Francisco to Anaheim "initial in service date" will slip until 2026, and no segments would probably be functional, ahead of this date.

The current HSR Plan discusses this issue, on page 51, but it does not clearly prioritize the sequence of segments to be built and completed before other segments are started, if there is a shortage of funds over a number of years. I believe this is a major strategic decision that should be made at the State level, now, so plans can be made for the worst case financial conditions that might occur.

5

On the bottom of the first page of Exhibit D you will see the consequence of such a funding delay, to the point that in the 2014 to 2016 time period, there would be annual negative cash flows in the range of $5B to $6B per year, with the cumulative negative cash flow reaching over $13B in 2017. (These negative amounts are highlighted in red.) Clearly such a situation would never be allowed to occur, and delays in various segments would have to be instituted to get the cash flow situation under control

A Strategic Sequencing of Funding Segments

I believe that the decisions to sequence the funding of different segments must be made at the State and top HSR management levels, now, so that precious capital is not wasted on segments that are not strategically important.

I would recommend the following as a set of prioritized and strategically important operational objectives. Select segments that:

1. Prove the performance characteristics of the vehicles selected, i.e. speed, reliability, maintainability
2. Prove the usability, reliability and maintainability of the electronic control systems on the corridor.
3. Consume the smallest amount of capital per mile.
4. Consume the smallest amount of capital for stations.
5. Allow the growth of the management team to manage the vehicles and the track/signaling system in an orderly manner.
6. Connect to existing local transit systems to facilitate growth of "long haul" HSR passenger volumes.
7. Do not overlap with existing local transit systems.

I164-15 cont.

Given these objectives, I believe the 7 segments between San Francisco and Anaheim can be broken into two groups. The first group needs to be started as soon as possible (given funding), to achieve these objectives. The second group can then be done, as additional funding becomes available, to complete the corridor.

Analysis of Funding Delays and Cash Flow Issues

Given these objectives, on the second page of Exhibit D, I have sequenced the 7 segments that I would recommend be authorized, as soon as funds are available to complete that segment. The first group (highlighted in green) are the segments between San Jose and Palmdale; the second group are the segments in the LA Basin and the Bay Area. As you will see, I have sequenced the segments to receive full funding and start construction in southern California and work north,

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Comment Letter I164 - Continued

simply based on the fact that 2/3's of the "served population" of California is based in Southern California.

The top block of data shows the same 7 segments, consuming the same $39B over the same 2009 to 2020 time period, as was on the prior page, just in a different sequence.

Just below this is the "Plan To Defer Three Segments" section, which illustrates the cash flow impact of sliding out the construction of the last three segments. The first block of data removes the $19B associated with the LA Basin and Bay Area segments in the 2009 to 2020 time period and the next block of data adds them back in, in a staggered manner, in the 2013 to 2033 manner. I suspect if the first four segments, from Palmdale to San Jose were focused on right away, it might be possible to get this portion of the corridor operational earlier that 2020, maybe a year or 18 months sooner . Something that should be investigated, quickly.

If this type of a serious funding delay happens and some of the segments could not be started when it is desired, while the Palmdale to San Jose segments might be operational on the 2019 or 2020 time period, it is possible that the service to Los Angeles Union Station might not occur until 2024, and to Anaheim to 2027, and from San Jose to San Francisco might not occur until 2030 or 2031, as this worst case exhibit shows.

Of course, if one made these deferrals and then all the funding was to occur, as called for in the HSR Plan, there would be a very large accumulation of cash, as shown on the "Deferred Cumulative Gap" line on the center of the page, with up to $17B in excess cash in 2017. Clearly one does not make such a deferral decision until one sees the funding occurring, or not occurring, relative to the plan of funding. That is why it is important to have agreement on the sequencing of the funding of the various segments, so that cash available early in the process is only spent on segments that would be funded high in the priority sequence.

I164-15 cont.

Analysis of A Worst Case Funding Situation

This is shown on the bottom half of this page, where the same "late funding" assumption I used on the prior page is used again. This is with the Federal funding stretching out to 2019, (highlighted in green and purple) and the Local and Private funding (highlighted in orange and gray) occurring in the 2020 to 2025 time period. If this occurred and the segments where sequenced and deferred, as I discussed above, in response to this delay in funds, we see in the Deferred Investment and Funding Cumulative Gap row that there is only a small negative cumulative cash flow position in 2020. Note that the funding of these last 3 segments is totally dependent on the latter part of the Federal funding and the Local and Private Funding.

From the AB 3034 and the HSR Plan it also appears there is a rule that a segment can only be funded to a maximum of 50% with the State Bonds that have been approved, and which are available. Given this constraint, the timing of Federal funds appears to be the pacing item that will allow funding to occur on the various segments, in the first group of 4 segments. The bottom three blocks of data show the available funds left at the end of each year, in terms of State Bonds Funds, then Federal funds, if they arrive on the delayed schedule shown above, and then the delayed Private and Local funds. It is not clear to me about how the actual availability of Federal funds works, compared to when they are committed by the Federal government to this HSR plan. I will let someone else worry about this small detail.

Conclusions

The important message to take away from this analysis is that, if the 4 segments from San Jose to Palmdale are started as soon as another $8B in Federal funds are received, this functional subset could be in service by 2020 or maybe a year or two earlier, with a $20B investment. This is based on the $9.5B in State Bonds, $2.5B in committed Federal grants received to date, and the additional $8B in Federal funds I mentioned, just above; for a total of $20B. As shown on the center of second page of Exhibit D, the current investment for these 4 segments is $20B. As additional funds are committed and become available, the last three segments can be started, with service to Los Angeles in 2024, to Anaheim in 2028 and to San Francisco in 2030. Maybe sooner if the additional $19B in Federal and Local and Private funds become available earlier than I have shown in this "Worst Case Funding Occurs" analysis; maybe later, if the funding occurs even later.

- This sequencing of the segments, based on this delayed funding, will allow for a minimum level of service quickly, with the utilization of the local transit systems at both ends. The HSR system can be proven out early (speed, reliability, safety, traffic forecasts, operational experience, etc), and as the next $20B in funding is committed, the last three segments can be started. I believe this is the correct sequence for the strategic objectives I defined earlier.

- However, if the sequence is reversed, with the initial $20B in available and committed funds, the San Francisco to San Jose, and the Palmdale to Los Angeles to Anaheim segments could be completed. There would be no service outside the areas where there are already local transit systems, until the last $20B is raised. This will delay the proving out of the system's speed, reliability and traffic forecasts for years, and I think it will delay the raising of the additional capital, especially private financing, for a very long time…..

I164-15 cont.

A Financial View Of The Entire System

To then get a rough estimate as to the capital requirements for my Phase 2 and Phase 3, to expand the HSR system to meet the requirements of AB 3034, I prepared another financial forecast, based on the cost and schedules of the HSR Phase 1 plan. This is shown on Exhibit E. The costs are understated, as they are not adjusted up for inflation, or additional vehicles, but they give us an initial, rough approximation of what will be needed. In summary, about another 10 years of construction, and another $30B in capital investment will be needed.

I created 5 additional segments, 2 in Southern California, as Phase 2, and 3 in Northern California, as Phase 3. As mentioned earlier I chose Phase two to be the southern segments as this is where 2/3's of the 'served population" lives. I made rough approximations of the miles for each segment and picked $ costs/miles from segments in the HSR Phase 1 Plan that appeared to have similar characteristics of terrain, urban density, etc. I then created a funding plan similar to the Phase 1 plan. Crude, but probably a good place to start.

Depending on how the funding goes for Phase 1, if it goes well, it may be possible to do Phase 2 and 3 in the 2019 to 2030 time period. If the funding is delayed for Phase 1, these two later phases may not occur until the 2030 to 2040 time period. At this point the traffic patterns in Exhibit C will be possible. These traffic Boardings are also probably understated, as additional traffic will probably occur as the segments are extended into the southern part of the state and into the central and Sacramento areas of the state.

Comment Letter I164 - Continued

SUMMARY

In summary, given the extreme risk of capital availability shortfalls, I believe the proper sequence of construction, to meet the strategic objectives I outlined above, should be, as follows, dependent on adequate funding:

As defined in the HSR Plan as the Initial Phase, (my Phase 1):

1. Connect Southern California's local transit system to Northern California's local transit systems (via the Palmdale to San Jose segments) for about $20B [About $11.5B is in hand - $9B in State Bonds and $2.5B in Federal grants, so $8B to $9B more is needed] Minimum system but functional! Meets strategic objectives defined above. Supports the served population of the State, just not yet at the maximum transit times defined in AB 3034.

2. Complete the Los Angeles Basin segments (Palmdale to Los Angeles to Anaheim) for about $13B. Serves the 67% of the state's served population in the south, and provides good access to the central valley and it's 7% of the state's served population. This supports the maximum transit time from San Jose to Los Angeles.

I164-15 cont.

3. Complete the San Francisco segment (San Jose to San Francisco) for about $6B. Serves the 27% of the state's served population in the north and provides access to the central valley's 7% of the state's served population and the 67% of the served population in Southern California. This supports the maximum transit time from San Francisco to Los Angeles.

Then my Phase 2:

4. Expand out of the Los Angeles Basin into all of Southern California (San Diego and Riverside) for about $15B.

Then my Phase 3:

5. Expand from San Jose northeast to include Oakland and Sacramento, for about $15B.

IN CLOSING

Total capital needed to accomplish the requirements of AB 3034 is in the order of magnitude of about $75B over the next 20 years; it could be much more, as I did not include inflation in my Phase 2 and Phase 3 analysis, and there is no data yet to validate the construction estimates for Phase 1. Current committed funds are about $11.5B, so how we proceed must be strategic in our thinking (to meet the needs of our population), but tempered by the realities of the risks of delayed, or even unavailable, financing.

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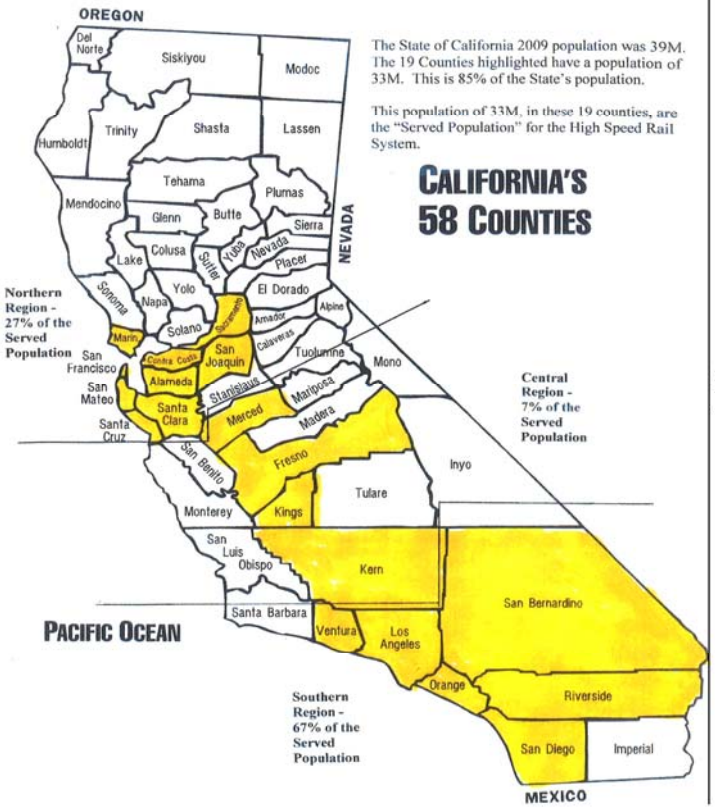
Exhibit A



I165 -15 cont.

HSR Table D - Phase 1		Daily Station Boardings				2035				Exhibit B
Stations	Counties Served	2035 HSR Total	Population 2009	Inter-regional	Local	Boardings per person (2009 Pop.) by counties	Percent of Boardings	Percent of Population	Percent Regional Boardings	Percent Regional Population
Northern Region										
San Francisco Transbay		24,100		20,600	4,400					
	San Francisco		845,559			10.40 Just San Francisco				
	Marin		258,618			7.97 Add Marin				
	Contra Costa		1,060,435			4.06 Add Contra Costa				
	Alameda		1,556,757			2.36 Add Alameda				
	Sacramento		1,433,187			1.71 Add Sacramento				
	San Joaquin		689,480			1.51 Add San Joaquin				
Counties Total		24,100	5,844,036			1.51 All 5 Counties	20.0%	17.9%		
Milbrae		2,500		900	1,600					
Redwood City		3,900		2,400	1,600					
	San Mateo		745,858							
County Total		6,400	745,858			3.13	5.3%	2.3%		
San Jose		7,600		4,700	3,100					
Gilroy		4,700		3,600	1,100					
	Santa Clara		1,857,621							
	Santa Cruz		268,637							
County Total		12,300	2,126,258			2.11	10.2%	6.5%	35.5%	26.7%
Central Region										
Merced		5,300		5,600						
	Merced		256,450							
County Total		5,300	256,450			7.54	4.4%	0.8%		
Frenso		4,500		4,700						
	Fresno		942,298							
	Kings		154,743							
County Total		4,500	1,097,041			1.50	3.7%	3.4%		
Bakersfield		5,100		5,300						
	Kern		827,173							
County Total		5,100	827,173			2.25	4.2%	2.5%	12.3%	6.7%
Southern Region										
Palmdale		12,900		5,500	7,700					
Sylmar		5,100		3,300	2,000					
Burbank		2,900		800	2,200					
Los Angeles Union Station		14,100		3,800	10,400					
Norwalk		4,500		3,000	1,600					
	Los Angeles		10,393,185			1.39 Just Los Angeles				
	Ventura		836,080			1.28 Add Ventura				
	San Bernardino		2,060,950			1.08 Add San Bernardino				
Counties Total		39,500	13,290,215			1.08 All 3 Counties	32.7%	40.8%		
Anaheim		23,500		19,100	5,300					
	Orange		3,139,017			2.73 Just Orange				
	San Diego		3,173,407			1.36 Add San Diego				
	Riverside		2,107,653			1.02 Add Riverside				
Counties Total		23,500	8,420,077			1.02 All 3 Counties	19.5%	25.8%	52.2%	66.6%
HSR Totals		120,700		79,700	41,000					
	All Counties Listed		32,607,108			1.35	100.0%	100.0%	100.0%	100.0%
Total California Population, 2009			38,292,787	These 19 counties are			85.2% of the state's 2009 population			

I165-15 cont.

HSR Table D - Phases 1, with 2 and 3 added		Daily Station Boardings				2035				Exhibit C
Stations	Counties Served	2035 HSR Total	Population 2009	Inter-regional	Local	Boardings per person (2009 Pop.) by counties	Percent of Boardings	Percent of Population	Percent Regional Boardings	Percent Regional Population
Northern Region										
San Francisco Transbay		4,553		3,870	683					
(Was 24,100)	San Francisco		845,559			1.97 Just San Francisco				
	Marin		258,618			1.51 Add Marin				
	Contra Costa		0							
	Alameda		0							
	Sacramento		0							
	San Joaquin		0							
Counties Total		4,553	1,104,177			1.51 Two Counties	3.8%	3.4%		
Milbrae		2,500		900	1,600					
Redwood City		3,900		2,400	1,600					
	San Mateo		745,858							
County Total		6,400	745,858			3.13	5.3%	2.3%		
Oakland		10,793		9,174	1,619					
	Contra Costa		1,060,435							
	Alameda		1,556,757							
Counties Total		10,793	2,617,192			1.51	8.9%	8.0%		
San Jose		7,600		4,700	3,100					
Gilroy		4,700		3,800	1,100					
	Santa Clara		1,857,621							
	Santa Cruz		268,637							
County Total		12,300	2,126,258			2.11	10.2%	6.5%		
Sacramento & Stockton		8,754		7,441	1,313					
	Sacramento		1,433,187							
	San Joaquin		689,480							
Counties Total		8,754	2,122,667			1.51	7.3%	6.5%	35.5%	26.7%
Central Region										
Merced		5,300		5,600						
	Merced		256,450							
County Total		5,300	256,450			7.54	4.4%	0.8%		
Frenso		4,500		4,700						
	Fresno		942,298							
	Kings		154,743							
County Total		4,500	1,097,041			1.50	3.7%	3.4%		
Bakersfield		5,100		5,300						
	Kern		827,173							
County Total		5,100	827,173			2.25	4.2%	2.5%	12.3%	6.7%

I165-15 cont.

HSR Table D - Phases 1, with 2 and 3 added — Daily Station Boardings — 2035 — Exhibit C

Stations	Counties Served	2035 HSR Total	Population 2009	Inter-regional	Local	Boardings per year per person (2009 Pop.) by counties	Percent of Boardings	Percent of Population	Percent Regional Boardings	Percent Regional Population
Southern Region										
Palmdale		12,900		5,500	7,700					
Sylmar		5,100		3,300	2,000					
Burbank		2,900		800	2,200					
Los Angeles Union Station		14,100		3,800	10,400					
Norwalk		4,500		3,000	1,600					
	Los Angeles		10,393,185			1.39 Just Los Angeles				
	Ventura		836,080			1.28 Add Ventura				
	San Bernardino		2,060,950			1.08 Add San Bernardino				
Counties Total		39,500	13,290,215			1.08 All 3 Counties	32.7%	40.8%		
Anaheim and add (Was 23,500)	Irvine	8,761		7,009	1,752					
	Orange		3,139,017			1.02 Just Orange				
	San Diego		0							
	Riverside		0							
Counties Total		8,761	3,139,017			1.02 Just 1 County	7.3%	9.6%		
Riverside and San Diego		14,739		11,791	2,948					
	Riverside		2,107,653							
	San Diego		3,173,407							
Counties Total		14,739	5,281,060			1.02 Two Counties	12.2%	16.2%	52.2%	66.6%
HSR Totals		120,700		79,700	41,000					
	All Counties Listed		32,607,108			1.35	100.0%	100.0%	100.0%	100.0%
Total California Population, 2009			38,292,787	These 19 counties are		85.2% of the state's 2009 population				

I165-15 cont.

HSR Plan - Phase 1 — Capital Funding and Spending, in $ millions — (Assumes Costs and Schedules Are Correct) — Exhibit D

Year	Total	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033
Dec 2009 HSR Plan			Start Construction										Start Service													
Plan for Funding Sources													Service SF to An - Goal													
State Bonds	9,100		200	600	1,900	3,400	3,000																			
Federal Assistance	19,700		200	600	1,900	3,400	3,900	4,900	4,800																	
Local Contributions	4,200						400	1,200	400	1,500	150	50	500													
Private funding	9,450						50	2,000	1,500	2,500	950	50	2,400													
Total	42,450	0	400	1,200	3,800	6,800	7,350	8,100	6,700	4,000	1,100	100	2,900													
Cumulative Total Available To Spend		0	400	1,600	5,400	12,200	19,550	27,650	34,350	38,350	39,450	39,550	42,450													
Percent of Total			0.9%	3.8%	12.7%	28.7%	46.1%	65.1%	80.9%	90.3%	92.9%	93.2%	100.0%													
Segment Spending Plan	Miles $/Mile		Construction start year is in					Peak spending year is in																		
San Francisco to San Jose	50 122.84	6,142	22	37	118	1,481	1,858	1,096	713	497	257	35	20	8												
San Jose to Merced	120 57.86	6,943	25	42	87	144	1,129	1,224	1,201	1,514	1,063	422	77	15												
Merced to Fresno	61 49.30	3,007	10	18	133	372	491	531	576	515	220	119	15	7												
Fresno to Bakersfield	114 44.69	5,095	17	29	210	638	721	699	952	1,025	606	158	27	13												
Bakersfield to Palmdale	85 58.80	4,998	18	31	63	53	736	885	1,216	1,086	767	109	22	10												
Palmdale to Los Angeles	60 127.43	7,646	25	43	88	318	871	1,534	2,026	1,596	844	263	26	12												
Los Angeles to Anaheim	30 181.80	5,454	17	29	340	872	1,094	946	1,008	706	300	118	16	8												
Total all Segments	520 75.55	39,285	134	229	1,039	3,878	6,902	6,915	7,692	6,939	4,057	1,224	203	73												
Total Implementation Costs																										
Total - all Segments		39,285	134	229	1,039	3,878	6,902	6,915	7,692	6,939	4,057	1,224	203	73	0	0		0			0			0		
Total - Vehicles		3,251	9	0	96	144	144	192		173	206	592	202	22	44	44		348			348			348		
Total Capital Investment		42,536	134	229	1,135	4,022	7,046	7,107	7,692	7,112	4,263	1,816	405	95	44	44	0	0	348	0	0	348	0	0	348	0	0
Current Funding Gap																										
Funding Gap			-134	171	65	-222	-246	243	408	-412	-263	-716	-305	2,805	-44	-44	0	0	-348	0	0	-348	0	0	-348	0	0
Cumulative Gap			-134	37	102	-120	-366	-123	285	-127	-390	-1,106	-1,411	1,394	1,350	1,306			958			610			262		
Worst Case Funding Occurs - 100% but late																										
Funding To Expected Levels, But Years Later																										
State Bonds	9,100	150	2,500	2,000	2,000	2,000	450																			
Federal Assistance (Guess)	19,700	0	2,500	2,000	2,000	2,000	2,000	2,000	2,000	2,000	2,000	1,200														
Local Contributions	4,200																		Service SF to An							
Private funding	9,450												400	1,200	400	1,500	150	50	500							
Total	42,450	150	5,000	4,000	4,000	4,000	2,450	2,000	2,000	2,000	2,000	1,200	50	2,000	1,500	2,500	950	50	2,400							
													450	3,200	1,900	4,000	1,100	100	2,900	0		0				
Potential Gap with Delayed Funding		16	4,771	2,865	-22	-3,046	-4,657	-5,692	-5,112	-2,263	184	795	355	3,156	1,856	4,000	1,100	-248	2,900	0	-348	0	0	-348	0	0
Current Cumulative Gap (- is negative cash)		16	4,787	7,652	7,630	4,584	-73	-5,765	-10,877	-13,140	-12,956	-12,161	-11,806	-8,650	-6,794	-2,794	-1,694	-1,942	958	958	610	610	610	262	262	262

I165-15 cont.

HSR Plan - Phase 1 — Exhibit D

Capital Funding and Spending, in $ millions (Assumes Costs and Schedules Are Correct)

Year	Total	2009	2010	2011 Start Construction	2012	2013	2014	2015	2016	2017	2018	2019	2020 Start Service	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033
Exercise Option to Sequence Segments and Start Segments When Funds Are Avaible																										
															Cum Funds		Cum Miles									
Sequenced Start Plan	Miles $/M																									
Bakersfield to Palmdale	85 58.80	4,998	18	31	63	53	738	885	1,216	1,086	767	109	22	10	4,998	13%	85	16%								
Fresno to Bakersfield	114 44.69	5,095	17	29	210	638	721	699	952	1,025	606	158	27	13	10,093	26%	199	38%								
Merced to Fresno	61 49.30	3,007	10	18	133	372	491	531	576	515	220	119	15	7	13,100	33%	260	50%								
San Jose to Merced	120 57.86	6,943	25	42	87	144	1,129	1,224	1,201	1,514	1,063	422	77	15	20,043	51%	380	73%								
Palmdale to Los Angeles	60 127.43	7,646	25	43	88	318	871	1,534	2,026	1,596	844	263	26	12	27,689	70%	440	85%								
Los Angeles to Anaheim	30 181.80	5,454	17	29	340	872	1,094	946	1,008	706	300	118	16	8	33,143	84%	470	90%								
San Francisco to San Jose	50 122.84	6,142	22	37	118	1,481	1,858	1,096	713	497	257	35	20	8	39,285	100%	520	100%								
Total	520 75.55	39,285	134	229	1,039	3,878	6,902	6,915	7,692	6,939	4,057	1,224	203	73												
Plan To Defer Three Segments													Service SJ to PD - maybe a year earlier													
Palmdale to Los Angeles		7,646	25	43	88	318	871	1,534	2,026	1,596	844	263	26	12												
Los Angeles to Anaheim		5,454	17	29	340	872	1,094	946	1,008	706	300	118	16	8												
San Francisco to San Jose		6,142	22	37	118	1,481	1,858	1,096	713	497	257	35	20	8												
Total Deferral		19,242	64	109	546	2,671	3,823	3,576	3,747	2,799	1,401	416	62	28												
Total for San Jose to Palmdale		20,043																								
Deferred Segments																	Service SJ to LA									
Palmdale to Los Angeles		7,646					25	43	88	318	871	1,534	2,026	1,596	844	263	26	12								
Los Angeles to Anaheim		5,454									17	29	340	872	1,094	946	1,008	706	300	118	16	8	Service SJ to An			
San Francisco to San Jose		6,142													22	37	118	1,481	1,858	1,096	713	497	257	35	20	8
Total Added Back In		19,242						88	318	888	1,563	2,366	2,468	1,960	1,246	1,152	2,199	2,158	1,214	729	505	257	35	20	8	Service SF to An
Deferred Capital Investment per year		42,468	70	120	589	1,351	3,223	3,531	4,033	4,631	3,750	2,963	2,709	2,535	2,004	1,290	1,152	2,199	2,506	1,214	729	853	257	35	368	8	0
Deferred Funding Gap, current Funding Plan			-70	280	611	2,449	3,577	3,819	4,067	2,069	250	-1,863	-2,609	365	-2,004	-1,290	-1,152	-2,199	-2,506	#####	-729	-853	-257	-35	-368	-8	0
Deferred Cumulative Gap			-70	210	821	3,270	6,847	10,666	14,733	16,802	17,052	15,189	12,580	12,945	10,941	9,651	8,499	6,300	3,794	2,580	1,851	998	741	706	338	330	330
Worst Case Funding Occurs - 100% but late																										
Funding To Date (Same Worst Case)																										
State Bonds		9,100	156	2,500	2,000	2,000	2,000	450																		
Federal Assistance (Guess)		19,700	0	2,500	2,000	2,000	2,000	2,000	2,000	2,000	2,000	2,000	1,200	0	0	0			0			0			0	
Local Contributions		4,200												400	1,200	400	1,500	150	50	500						
Private funding		9,450												50	2,000	1,500	2,500	950	50	2,400						
Total		42,450	156	5,000	4,000	4,000	4,000	2,450	2,000	2,000	2,000	2,000	1,200	450	3,200	1,900	4,000	1,100	100	2,900	0	0	0	0	0	0	0
Deferred Investment & Funding Gap			86	4,880	3,411	2,649	777	-1,081	-2,033	-2,631	-1,750	-963	-1,509	-2,085	1,196	610	2,848	-1,099	-2,406	1,686	-729	-853	-257	-35	-368	-8	0
Deferred Investment & Funding Cumulative Gap			86	4,960	8,371	11,020	11,797	10,716	8,683	6,052	4,302	3,339	1,830	-255	941	1,551	4,399	3,300	894	2,580	1,851	998	741	706	338	330	330
Maximum Half Segment Funding by - State		9,100	70	120	295	676	1,612	1,766	2,017	2,316	231	0	0	0	0	0			0			0			0	
State funds remaining			9,030	8,910	8,616	7,940	6,329	4,563	2,547	231	0	0	0	0	0	0			0			0			0	
Remaining Half Segment Funding by - Fed		19,700	0	0	295	676	1,612	1,766	2,017	2,316	3,519	2,963	2,709	1,830	0	0	0	0	0	0	0	0	0	0	0	0	0
Fed funds remaining			0	2,500	4,206	5,530	5,919	6,153	6,137	5,821	4,302	3,339	1,830	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Local & Private Funding		13,668												705	2,004	1,290	1,152	2,199	2,506	1,214	729	853	257	35	368	8	0
Local & Private Funds Remaining		-18												-255	941	1,551	4,399	3,300	894	2,580	1,851	998	741	706	338	330	330
																							0				

I165-15 cont.

HSR - My Phase 2 and 3 — Exhibit E

Future Capital Funding and Spending, in $ millions, ignores inflation (Assumes Phase 1 Costs and Schedules Are Correct)

Year		Possible 2019 2029	2020 2030	2021 Start Construction 2031	2022 2032	2023 2033	2024 2034	2025 2035	2026 2036	2027 2037	2028 2038	2029 2039	2040 Start Service
		Totals											
Plan for Funding Sources													Service SD to San & OA - Goal
State Bonds		6,000	100	100	400	1,500	2,700	1,200					
Federal Assistance		15,500		100	400	1,500	2,700	3,000	2,900	3,000	1,900		
Local Contributions		3,000						500	1,100	1,000	300	150	50	100
Private funding		6,000						500	2,000	1,500	1,000	950	50	0
Total		30,500	100	200	800	3,000	5,400	5,200	6,000	5,500	3,200	1,100	100	100
Segment Spending Plan	Miles	$ /Mile												
Phase 2 - Southern														
Los Angeles to Riverside	56	130.00	7,280											
Riverside to San Diego	101	60.00	6,060											
Anaheim to Irvine	10	180.00	1,800											
Total - Phase 2	167	90.66	15,140	52	88	400	1,495	2,660	2,665	2,964	2,674	1,564	472	78	28
Phase 3 - Northern														
Oakland to San Jose	42	120.00	5,040											
Oakland to Stockton	75	60.00	4,500											
Merced to Sacramento	117	50.00	5,850											
Total - Phase 3	234	65.77	15,390	52	90	407	1,519	2,704	2,709	3,013	2,718	1,589	480	80	29
Grand Total	401	76.13	30,530	0.3%	0.6%	2.6%	9.9%	17.6%	17.6%	19.6%	17.7%	10.3%	3.1%	0.5%	0.2%
By Year				104	178	807	3,014	5,364	5,374	5,978	5,393	3,153	951	158	57

I165-15 cont.

Comment Letter I164 - Continued

Bill Warren
William H. Warren Consulting Services

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2909 Waverley Street, Palo Alto, CA 94306

Experience

Over 35 years in the computer software and hardware marketplace, with an emphasis on the telecommunications, storage systems, and healthcare markets.

Qualifications

Product line management and product marketing, including business plans, market and financial forecasts, acquisition and contract negotiations, and product launches.
Software development process management, with heavy focus on defect prevention through requirements definition, test strategies, and test cases.
Development support such as hardware, software, and documentation configuration and release management, product test, and test automation.
Manufacturing support, including vendor management and incoming and final quality assurance and control.
Formation and management of headquarters customer service and support groups including centralized technical support and field support teams.
Sales and installation/service field management with heavy customer involvement.
Corporate computer and information service management, including voice and data operations, LAN, desktop support, and programming services.
Corporate finance and administration, including venture capital relationships, merger and acquisition selection, relationships and analysis, and corporate financing.

Positions Held

President, William H. Warren Consulting Services, Inc - Computer Systems market
Vice President, Centigram Communications - Voice Messaging market
Director, ROLM Telecommunications - PBX market
Corporate Officer - Several small startups - Computer Systems markets
Manager, Memorex - Storage Products & Telecommunications market
Sales and Systems Engineer, IBM - Transportation market
Data Processing Officer, US Navy - US Naval Academy

Education

Stanford University - BA and MBA

Response to Letter I164 (William H. Warren, April 12, 2010)

I164-1

The Program EIR/EIS evaluated many alignment and terminal alternatives, including scenarios in which HST service terminated only in San Francisco, only in Oakland, and both San Francisco and Oakland. HST ridership forecasts for the three most-relevant Pacheco network alternatives are reproduced in the table below. These data illustrate that HST boardings at San Francisco Transbay are projected to decrease by 53% if HST service is split between San Francisco and Oakland termini. This figure is below the 79% reduction suggested by the commenter.

See also Standard Response 10 regarding two-track vs. four-track configurations on the Peninsula.

Scenario	Millions of Annual HST Boardings	
	San Francisco Transbay	Oakland 7th Street
Pacheco to San Jose and San Francisco[1]	11.72	-
Pacheco to San Jose and Oakland[2]	-	10.67
Pacheco to San Jose, Oakland and San Francisco[3]	5.53	3.63

I164-2

Introductory comment acknowledged. Responses to comments on changes made in Chapter 7 and the recommendation of the preferred alternative in Chapter 7 are addressed in the responses that follow.

[1] *Bay Area/California High-Speed Rail Ridership and Revenue Forecasting Study; Ridership and Revenue Forecasts*, prepared for the Metropolitan Transportation Commission, prepared by Cambridge Systematics, August 2007, Table A.2.

[2] Ibid, Table A.3.

[3] Ibid, Table A.4.

I164-3

Streets and Highways Code section 2704.09, enacted by the voters in 2008, specifies maximum nonstop service travel times for these corridors. Alignments to service Oakland are considered in the 2008 Final Program EIR, see chapters 2, 3, and 7 in that document. See also Response to Comment L003-25.

I164-4

HST Alternatives with direct service to Oakland were fully evaluated and documented as part of the 2008 Final Program EIR. See Response to Comments I164-3, I009-3, and I009-4.

I164-5

See Response to Comment I164-1 and Standard Response 4.

I164-6

The alignment for the Caltrain Corridor analyzed in the Program EIR is a shared-use four-track alignment. A two-track alignment for the Peninsula is not feasible in light of Caltrain's current commuter service, which involves many local stops. Based on program-level information, a two-track alignment would not accommodate all projected HST and Caltrain traffic.

I164-7

The Authority disagrees with the comment.

I164-8

Comment acknowledged.

I164-9

Streets and highways Code section 2704.04(b), placed on the ballot by AB 3034, and enacted by the voters in 2008, designates the corridor from San Francisco to Los Angeles and Anaheim as Phase 1 of the HST system. That section also specifies the Authority may

request funding for captial costs in other corridors provided it first makes findings that such expenditures would advance the system, would be consistent with other bond act criteria, and would not have an adverse impact on the construction of Phase 1 of the system.

I164-10

Comment acknowledged.

I164-11

Comment acknowledged.

I164-12

The HST boarding forecasts for San Francisco presented in the 2008 Final Program EIR reflect the presence of an HST station in Sacramento. Please see response to Comment I164-1 regarding the potential influence of an Oakland HST station on HST boardings at San Francisco.

I164-13

The ridership forecasts for the HST system is not a topic identified by the Superior Court for further work to comply with CEQA. Note that the ridership and revenue boarding information for the Orange County stations that was used in the 2008 Final Program EIR reflects the full HST system, including HST operations between Los Angeles Union Station and Downtown San Diego via the Inland Empire. See Appendix A of Bay Area/California High-Speed Rail Ridership and Revenue Forecasting Study; Ridership and Revenue Forecasts, prepared for the Metropolitan Transportation Commission, prepared by Cambridge Systematics (August 2007).

I164-14

The input assumptions, analysis approach, results and conclusions offered by the commenter are inaccurate. Some of the reasons for this inaccuracy are as follows:

1. The commenter incorrectly compares year 2009 population estimates to year 2035 HST boarding forecasts. Year 2035 population forecasts would need to be used for a correct comparison. For example, the commenter's calculations for Kern County are based on a year 2009 estimated population of 827,173, while Kern COG forecasts a year 2035 population of 1,321,000 (2011 Final Regional Transportation Plan", Kern Council of Governments, July 15, 2010, Table 3-1); this one input error leads to a nearly 40% calculation error for Kern County.
2. The commenter incorrectly defines the HST service area, ignoring most counties in the Sacramento region, the northern counties in the San Francisco Bay Area, some San Joaquin Valley Counties, the Monterey Bay and Central Coast regions, and the entire Sierra Nevada region; ignoring these counties severely distorts the "boardings per person" metric that the commenter is attempting to calculate. For example, ridership forecasts presented in the 2009 Business Plan illustrate that the Monterey Bay and the Central Coast regions account for 10% of total HST boardings for the Phase 1 system
3. The commenter incorrectly defines the geographic area of the served population (known more commonly as the "catchment area") around each station, and in so doing greatly overstates the trips per person at many stations. For example, the commenter uses the population of only Merced County when calculating the trips per person at the Merced Station. However, the catchment area for the Merced station in the Phase 1 HST system extends over a large portion of the Northern San Joaquin Valley including Merced, Stanislaus, San Joaquin and Mariposa Counties, and portions of Tuolumne, Calaveras, Amador and Sacramento Counties. Just four of these counties (Merced, Stanislaus, San Joaquin and Mariposa Counties) have a year 2030 population forecast of over 2.5 million (Population Projections for California and Its Counties 2000-2050", State of California, Department of Finance, July 2007), which is 10 times larger than the year 2009 value reported by the commenter. This one partial adjustment would change the commenter's incorrect calculation from 7.54 trips per person at Merced to a more reasonable 0.75 trips per person.

4. The commenter incorrectly reassigns Phase 1 station boarding results in an attempt to approximate station boarding forecasts for the Full System configuration. Recent ridership and revenue forecasts prepared for project-level environmental analysis illustrates that systemwide HST station boardings increase by over 80 percent when the Sacramento and San Diego extensions are added to the Phase I system. Additionally, boardings at some stations are projected to experience a large change when the extensions are completed; for example, Los Angeles Union Station is projected to have 3,800 daily interregional boardings for Phase 1 and 14,100 for Full System. (Addendum to the California High-Speed Rail Authority's Report to the Legislature", California High-Speed Rail Authority, April 2010, Page 19.)

I164-15

The cost, procurement and funding of the HST system are addressed in the Authority 2009 Business Plan, see Standard Response 8.

Comment Letter I165 (Rita Wespi, April 26, 2010)

I165

Kris Livingston

From: Rita Wespi [rwespi@mathmatinee.com]
Sent: Monday, April 26, 2010 11:43 PM
To: HSR Comments
Subject: Bay Area to Central Valley Revised Draft Program EIR Material Comments
Attachments: Bay Area Program EIR Comments Rita Wespi.pdf

Please accept the attached comments for the Bay Area Program EIR.

Thank you,
Rita Wespi

1

1648 Mariposa Ave
Palo Alto, CA 94306

April 26, 2010

Mr. Dan Leavitt
California High-Speed Rail Authority
925 L Street, Suite 1425
Sacramento, CA 95814

Attention: Bay Area to Central Valley Revised Draft Program EIR Material Comments

Dear Mr. Leavitt,

When conducting an Environmental Review, there are three types of activities which are critical to its accuracy, as outlined below. These basic steps and analyses are the foundation for making accurate assessments when selecting preferred routes: it is one of the key foundations to a successful EIR.

My purpose in these comments is to call attention to significant errors within the data tables in Volumes 1 and 2 of the Bay Area to Central Valley Program EIR. These types of errors and omissions are repeated across multiple sections and chapters.

I. **Gathering accurate data.**
There are schools, children's facilities, medical facilities, parks, recreational lands, cultural resources, hazardous waste areas, historic sites, and other sensitive receptors which are not included in the study. It is impossible to know which ones are accounted for and which ones are missing unless they are inventoried and listed within the EIR document set. It is known, for example, that the number of schools along the proposed route was significantly undercounted. Without an accurate, complete data set, evaluating the impacts leads to inaccuracies and the environmental impacts are susceptible to being under-rated. See Attachments A and B for a partial list of parks and schools; these lists underscore that the inventories used for this EIR analysis is incomplete. I165-1

II. **Evaluating the data accurately.**
Once data is gathered, the agency is required to evaluate it using criteria from the CEQA Guidelines. In many cases, the CHSRA has also provided evaluation criteria which are specific to the project. In some cases they are cut-off values, and in other cases it requires using a combination of algorithms and cut-off values. The data, evaluation criteria and algorithms are frequently in different documents or Volumes. This makes understanding the documents rather challenging. The data, definitions, evaluation criteria, cut-off criteria, rating system and final recording of data must be located in close proximity to aid the legibility of the information, and to minimize the risk of inaccuracies. These should be located in the main document for the ease of the layperson's accessibility. I165-2

III. **Recording the findings accurately.**
Once the data is evaluated, the ratings are recorded in the Data Tables. There are errors in these ratings, as well as in recording the ratings. I165-3

Examples.
The following pages contain examples related to land use compatibility, property impacts, noise and vibration impacts, visual impacts, public utilities, hazardous materials, and cultural resources. I165-3 cont.

Summary.
It is painstaking, laborious work to verify the accuracy of the Program EIR in the gathering, evaluating and recording of volumes of data. Several examples are provided; the CHSRA should make every effort to ensure that similar errors are removed from the EIR, if any additional errors exist. The data should be organized for easier access and comprehension. It is possible that accurate assessments would affect decisions about the route and necessary mitigations. Additionally, cumulative impacts should be recorded in a single table, and possibly on a color-coded route map as is done for some of the individual impacts. I165-4

Once the corrections are made, the preferred route should be re-evaluated in light of the corrected, accurate information.

Thank you for your consideration.

Sincerely,

Rita Wespi

Example 1, Land Use Compatibility.

Table 3.7-1
Compatibility of Land Use Types

Low Compatibility	Medium Compatibility	High Compatibility
Single-family residential, neighborhood and community parks, habitat conservation area, elementary/middle school, agricultural (widened or new right-of-way needed)	Multifamily residential, high schools, low-intensity industrial, hospitals	Business park/regional commercial, multifamily residential, existing or planned transit center, high intensity industrial park, service commercial, commercial recreation, college, transportation/utilities, high-intensity government facilities, airport or train station, agricultural (tunnel or no new right-of-way needed)

Table 3.7.3.
Land Use Summary Data Table for
Alignment Alternatives and Station Location Option Comparisons

Corridor	Possible Alignments	Alignment Alternative	Land Use Compatibility (H,M,L)	Community Cohesion Impacts (Y/N)	Potential For Property Impacts (H,M,L)	Environmental Justice (EJ) Impacts (H,M,L)
San Francisco to San Jose: Caltrain	1 of 1	San Francisco to Dumbarton	H Compatible with existing Caltrain Corridor.	N	L Corridor would be built mostly within existing Caltrain Corridor.	M Alignment within existing rail right-of-way. Percentages of EJ populations in study area exceed thresholds.

I165-5

On pages 3.7-6 through 7, several cities are described as having residential characteristics; i.e. Brisbane, So. San Francisco, Millbrae, Burlingame, San Mateo, San Carlos, Redwood City, Atherton, Menlo Park, Palo Alto, Mountain View, Sunnyvale, Santa Clara and San Jose. This essentially points out that most cities along the San Francisco to San Jose corridor have residential neighborhoods.

Table 3.7-1 indicates that single-family residential has "Low Compatibility", yet Table 3.7.3 records the land use compatibility as 'High' even though the description of this section includes residential neighborhoods in nearly every city. The table in Appendix 3.7-A is equally flawed.

Comment Letter I165 - Continued

Example 2, Rankings of Potential Property Impacts.

Table 3.7-2
Rankings of Potential Property Impacts

Facility Requirements	Type of Development: Residential: Rural/ Suburban	Residential: Suburban/ Urban	Residential: Urban	Nonresidential: Rural Developed	Nonresidential: Suburban Industrial/ Commercial	Nonresidential: Urban Business Parks/ Regional Commercial	Nonresidential: Rural Undeveloped
No additional right-of-way needed (also applies to tunnel segments for HST Alignment Alternatives)	Low	Low	Low	Low	Low	Low	Low
Widening of existing right-of-way required	Medium	Medium	High	Low	Medium	High	Low
New corridor (new right-of-way required; includes aerial and at-grade arrangements)	High	High	High	Medium	Medium	High	Low to medium

I165-6

"To determine potential property impacts, the land uses within 50 ft (15 m) of either side of the existing corridor **or** within 50 ft (15 m) of both sides of the centerline for new HST alignments were characterized by type and density of development."

It's not clear which metric is being used – 50 ft to either side or 50 ft of the centerline. There are long sections of the Bay Area segment along the JPB right-of-way which are 100 ft in or less in width, implying that the centerline metric would not reflect the adjacent properties at all.

Introducing elevated structures or catenaries against property lines would have considerable impact on the value of properties, in particular residential areas and single family homes. Therefore, rural/suburban and suburban/urban categories should be rated 'High' for "No additional right-of-way needed" for any section for which an above-ground alignment is possible.

Furthermore, 'widening of existing right-of-way' in rural/suburban and suburban/urban areas should be rated 'high' since partial or full taking of a residential or single family home's property is significant.

Rita Wespi

Example 3, Noise and Vibration Impacts Data.

The number of hospitals, schools and parkland acres in Volume 2, Appendix 3.4-A are incorrect. (See Attachments A and B for partial lists of schools and parks along the proposed San Francisco to San Jose route.) However, let's follow these numbers through the analysis to verify the final two columns, Noise Impact Rating and Vibration Impact Rating.

Appendix 3.4-A. Noise and Vibration Impacts Data Table for Alignment Alternatives and Station Location Option Comparisons

Corridor	Possible Alignment Segments	Alignment	Segment	Total Segment (Miles)	Residential Population	Mixed Use Population	Parkland (Acres)	Hospitals	Schools	Noise Impact Rating	Vibration Impact Rating
San Francisco to San Jose: Caltrain	1 of 1	San Francisco to Dumbarton	Transbay Transit Center to 4th/Townsend	1.98	0	0	0	0	0	Low	Low
			4th/Townsend to Millbrae/SFO	13.91	1,640.55	16.6	0	0	0	Medium	Medium
			Millbrae/SFO to Redwood City	10.67	3,545.82	101.35	0	0	2	Medium	High
			Redwood City to Caltrain	2.48	322.83	22.17	0	0	0	Medium	Medium
	1 of 1	Dumbarton to San Jose	Caltrain Dumbarton Wye	1	580.33	12.4	0	0	0	Medium	High
			Dumbarton Wye to Palo Alto	3.28	1,314.66	22.01	5.27	0	0	Medium	High
			Palo Alto to Santa Clara	14.4	7,549.76	27.69	0	0	0	Medium	High
			Santa Clara to Diridon Station	2.93	11.51	0	0	0	0	Low	Medium

I165-7

The algorithms used to determine noise and vibration impact ratings are as specified on page 3.4-3 of Volume 1 of the 2008 Program EIR. Note that although parklands are listed in the table, they are not part of the impact metric and so their existence is effectively ignored.

Impact Metric = (Residential Population in the Impact Area/Mile) + 0.3 × (Mixed Use Population in the Impact Area /Mile) + (100 × Number of Hospitals in the Impact Area)/Mile + (250 × Number of Schools in the Impact Area)/ Mile

For this screening study, the impact metrics and impact ratings are defined in Table 3.4-1. The rating scheme is designed to indicate the potential for noise and vibration impacts along the alignment alternatives.

Using the data values from Table 3.4-A, and algorithms from 3.4-3, we find that the noise impact ratings for the San Francisco to San Jose section are as follows:

Millbrae/SFO to Redwood City	385.7
Caltrain Dumbarton Wye	584.1
Dumbarton to Palo Alto	402.8
Palo Alto to Santa Clara	524.8

Rita Wespi

All of these ratings are significantly greater than 200, the "High" cut-off value for Noise given in the Ratings table in Table 3.4-1 below. They are recorded as "Medium" in Table 3.4-A above.

Table 3.4-1
Ratings Used for Noise and Vibration Analysis

Rating	Impact Metric	
	Noise	Vibration
Low	Less than 80	Less than 40
Medium	80–200	40–100
High	Greater than 200	Greater than 100

I165-7 cont.

A final thought: Table 3.4-A has a total of 2 schools recorded from San Francisco to San Jose. See Attachment B, Schools, for a substantially longer partial list of schools. Younger children are more sensitive to loud noises; studies have found that loud noises can interfere with their learning.

Example 4, Visual Impact Data.

A discussion of aesthetics and visual resources can be found in the following passages from page 3.9-2 of Volume 1 of the 2008 Bay Area Program EIR.

> Potential changes to the dominant landscape features, or potential visual impacts, are described and ranked as high, medium, or low according to the potential extent of change to existing visual resources. Visual contrast rankings, or impact rankings, are defined as follows.
> • *High visual impacts* would be sustained if features of the alignment or station were obvious and began to dominate the landscape and detract from the existing landscape characteristics or scenic qualities.
> • *Medium visual impacts* would be sustained if features of the alignment or station were readily discernable but did not dominate the landscape or detract from existing dominant features.
> • *Low visual impacts* would be sustained if features of the alignment or station were consistent with the existing line, form, texture, and color of other elements in the landscape and did not stand out.
> • Shadow impact ranking would be high if the new (not existing) elevated
>
> C. CEQA SIGNIFICANCE CRITERIA
> Under CEQA, a project would have a significant impact if it would (a) have a substantial adverse effect on a scenic vista, (b) substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway, (c) substantially degrade the existing visual character or quality of the site and its surroundings, or (d) create a new source of substantial light or glare that would adversely affect day or nighttime views in the area. Each corridor, alignment alternative, and station location option has been rated, as identified above, and a rating of high or medium can generally be considered as significant.

I165-8

The proposed San Francisco to San Jose section would involve adding tracks and overhead catenaries to the Caltrain corridor. The majority of the Caltrain corridor contains trees as screening for the communities it passes through. Adding the high-speed train infrastructure would require removing the trees for virtually every mile of the corridor. Berms, aerials and other elevated structures are proposed for much of the corridor. According to clarifications to the Business Plan, 17.4 miles of aerials are planned. The removal of trees and addition of the high-speed train infrastructure describes a "high visual impact": the features of the alignment would be obvious, would dominate the landscape, and would detract from the existing landscape characteristics or scenic qualities.

This evaluation and 'Low' ranking is not consistent with the proposed alignments in the Appendices. It does not conform to the CEQA Guidelines' definition of 'Low'.

Comment Letter I165 - Continued

Appendix 3.9-A Visual Impacts Data Table for Alignment Alternatives and Station Location Option Comparisons

Corridor	Possible Alignment Segments	Alignment Alternative	Segment	Visual Impact	Impact Level
San Francisco to San Jose: Caltrain	1 of 1	San Francisco to Dumbarton	Transbay Transit Center to 4th/Townsend	None	None
			4th/Townsend to Millbrae/SFO	Two additional tracks	Low
				Pedestrian undercrossings at stations	Low
				Raised right-of-way	Low
			Millbrae/SFO to Redwood City	Two additional tracks	Low
				Pedestrian undercrossings at stations	Low
				Raised right-of-way	Low
			Redwood City to Dumbarton Wye	Two additional tracks	Low
	1 of 1	Dumbarton to San Jose	Caltrain Dumbarton Wye	None	None
			Dumbarton Wye to Palo Alto	Two additional tracks	Low
				Pedestrian undercrossings at stations	Low
				Raised right-of-way	Low
				New bridge adjacent to San Francisquito Creek truss bridge	Low
				Two additional tracks at El Palo Alto Redwood	Low
			Palo Alto to Santa Clara	Two additional tracks	Low
				Pedestrian undercrossings at stations	Low
				Pedestrian overcrossings at stations	Medium
				Raised right-of-way	Low
			Santa Clara to Diridon Station	Elevated facilities approaching Diridon Station	Medium

I165-8 cont.

Additional Examples: Public utilities, Hazardous materials, Cultural resources.

Public Utilities have not been accurately inventoried. See Appendix 3.10-B. For example, there is a power substation in Palo Alto along the proposed route. Caltrain published a Draft EIR in 2004 which outlined a number of power stations and substations along its corridor. I165-9

Hazardous Materials have not been accurately inventoried. See Appendix 3.11-A. For example, Burlingame High School is adjacent to the proposed route and has an arsenic problem. I165-10

Cultural Resources should be inventoried and listed so that interested stakeholders may verify which resources are included for consideration. I165-11

Comment Letter I165 - Continued

Attachment
to I165-1

Attachment A. Parks.

Partial list of parks located within approximately 1000 feet of the Caltrain right-of-way between San Francisco and San Jose Diridon Station:

1. Guadalupe River Park, San Jose
2. Columbus Park, San Jose
3. Larry J Marsalli Park, Santa Clara
4. Rotary Park, Santa Clara
5. Bracher Park, Santa Clara
6. Martin Murphy Historical Park, Sunnyvale
7. Washington Park, Sunnyvale
8. Cannery Park, Sunnyvale (>1000?)
9. Magnolia Park, Mountain View
10. Chetwood Park, Mountain View
11. Slater School Park, Mountain View
12. Landeis School Park, Mountain View
13. Jackson Park, Mountain View
14. Rex Manor Playground, Mountain View
15. Rengstorff Park, Mountain View
16. Robles Park, Palo Alto
17. Jerry Bowden Park, Palo Alto
18. Peers Park, Palo Alto
19. Ray Field (Palo Alto High School), Palo Alto
20. El Camino Park, Palo Alto
21. Burgess Park, Menlo Park
22. Holbrook-Palmer Park, Menlo Park
23. Jardin De Ninos Park, Redwood City
24. Laureola Park, San Carlos
25. Alexander Park, Belmont
26. Fiesta Grounds, San Mateo
27. Trinia Park, San Mateo
28. Hayward Square, San Mateo
29. Central Park, San Mateo
30. Martin Luther King Jr. Park, San Mateo
31. Washington Park, Burlingame
32. Laguna Park, Burlingame
33. Village Park, Burlingame
34. Bayside Park, Millbrae
35. Marina Vista Park, Millbrae
36. Lions Field Park, San Bruno
37. Posey Park, San Bruno
38. Forest Lane Park, San Bruno (> 1000?)
39. Bayshore Circle Park, San Bruno
40. San Bruno Mountain State Park
41. Little Hollywood Park, San Francisco

Attachment
to I165-1

Attachment B: Schools.

Partial list of schools located within 1000 feet of the Caltrain right-of-way between San Francisco and San Jose Diridon Station. Included is an approximation of the distance and direction from the corridor.

Belle Aire School - 400 east
450 3rd Avenue
San Bruno, CA 94066-4599

California Montessori School 300 west
480 San Anselmo Avenue North
San Bruno, CA 94066-4414

Happy Hall Schools - 400 west
233 Santa Inez Avenue
San Bruno, CA 94066-5212

Lomita Park Elementary School - 100 west
200 Santa Helena Avenue
San Bruno, CA 94066-5331

Millbrae Nursery School
86 Center Street
Millbrae, CA 94030-2045

Palcare
945 California Drive
Burlingame, CA 94010-3605

Burlingame Montessori- 100west
525 California Drive
Burlingame, CA 94010-3912

Burlingame High School (BHS) - abuts east
1 Mangini Way
Burlingame, CA 94010-1904

Washington Elementary School - 500 east
801 Howard Avenue
Burlingame, CA 94010-3099

Papillion Preschool LLC - 700 east
700 Peninsula Avenue
Burlingame, CA 94010-3010

Stanbridge Academy - 400 east
515 East Poplar Avenue

Comment Letter I165 - Continued

Attachment to I165-1

San Mateo, CA 94401-1715

Petite Sorbonne Pre-School - 200 west
319 East Santa Inez Avenue
San Mateo, CA 94401-2505

Unitarian Universalists of San Mateo - 400 west
300 East Santa Inez Avenue
San Mateo, CA 94401-2506

Little Wonders-A Parent-Child Center - 600 west
225 Tilton Avenue
San Mateo, CA 94401-2825

Kindercourt School System - 600 east
211 South Delaware Street
San Mateo, CA 94401-3325

Sunnybrae Elementary School - 800 east
1031 South Delaware Street
San Mateo, CA 94402-1855

The Little Scholars - 400 west
143 South Boulevard
San Mateo, CA 94402

Beresford Montessori - 400 west
1717 Gum Street
San Mateo, CA 94402-3027

A Plus Learning Center - abuts west
490 El Camino Real
Belmont, CA 94002-2140

Central Elementary School - 500 w
525 Middle Road
Belmont, CA 94002-2130

Little Hands a Parent-Child Center - 500 w
1300 5th Avenue
Belmont, CA 94002-3831

Happy Campers Preschool = 500 w
510 Laurel Street
San Carlos, CA 94070-2416

Little Learners Preschool -800 w
785 Walnut Street
Rita Wespi

Attachment to I165-1

San Carlos, CA 94070-3115

Children's Place - 800 w
1336 Arroyo Avenue
San Carlos, CA 94070-3913

Kindercourt School System 500w
1225 Greenwood Avenue
San Carlos, CA 94070-4903

Prop South Community School - 200 w
1390 El Camino Real
San Carlos, CA 94070

West Bay High School - 400w
1561 Laurel Street
San Carlos, CA 94070

Kindercourt School System - 400 w
1601 Laurel Street
San Carlos, CA 94070-5216

Orion Elementary School 700e
815 Allerton Street
Redwood City, CA 94063-1360

Kiddie Garden Pre-School
1305 Middlefield Road
Redwood City, CA 94063-2210

Peninsula Christian Schools
1305 Middlefield Road
Redwood City, CA 94063-2299

Garfield Elementary School - 500 east (classrooms) playing fields abut
3600 Middlefield Road
Menlo Park, CA 94025-3010

Palo Alto High School - abuts west
50 Embarcadero Road
Palo Alto, CA 94301-2379

Castilleja School - 800 east
1310 Bryant Street
Palo Alto, CA 94301-3597

Leaping Lizards Preschool - 900 west
Rita Wespi

Comment Letter I165 - Continued

Attachment to I165-1

397 Fernando Avenue
Palo Alto, CA 94306

Palo Alto Community Child Care-PACCC - 900 west
3990 Ventura Court
Palo Alto, CA 94306-3464

Crescent Park Child Development Center - 200 East
4161 Alma Street
Palo Alto, CA 94306

Girls' Middle School - 500 East
180 North Rengstorff Avenue
Mountain View, CA 94043-4222

Western Montessori Day School - 1000 West
323 Moorpark Way
Mountain View, CA 94041-1621

Vargas Elementary School - 1000 West
1054 Carson Drive
Sunnyvale, CA 94086

Santa Clara Christian Preschool - 1000 West
3421 Monroe Street
Santa Clara, CA 95051

Santa Clara Unified School District: BRACHER - 900 West
2700 Chromite Drive
Santa Clara, CA 95051-0995

Santa Clara University: Mission Santa Clara De Asis
500 El Camino Real
Santa Clara, CA 95050-4345

Bellarmine College Prep School - abuts west
960 West Hedding Street
San Jose, CA 95126-1215

Rita Wespi

Response to Letter I165 (Rita Wespi, April 26, 2010)

I165-1

This comment addresses topics from the May 2008 Final Program EIR/EIS, rather than the 2010 Revised Draft Program EIR Material. The Authority has followed the direction in CEQA Guidelines section 15088.5(f)(2), which indicates that where a lead agency is revising and recirculating only a portion of an EIR, "the lead agency may request that reviewers limit their comments to the revised chapters or portions of the recirculated EIR." The provision further indicates that the lead agency need only respond to those comments received during the recirculation period that relate to the portions of the EIR that were revised and recirculated. Nevertheless, in this document, the Authority has ensured that it has provided a response to all significant environmental issues raised.

The comment raises issues about specific properties that may be affected by the HST, including schools, children's facilities, medical facilities, parks, recreational land, cultural resources, hazardous waste areas, historic sites, and other "sensitive receptors." See Standard Response 2 regarding the tiered planning process for the HST system. Detailed analysis at the project-level EIR/EIS will evaluate site-specific impacts. Feasible mitigation measures will also be discussed at the project-level.

I165-2

This comment takes issue with the presentation of materials in the environmental documents, but does not provide specific examples of where they believe this to be the case (but see additional comments/responses below). Without these specific citations, the Authority cannot respond to the general issues related to provision of information. As is typical in environmental documents, the individual topic areas are addressed in sections for that topic. Tyically, the information is presented in a format that discusses the regulatory requirements, the methods of evaluation, significance criterial, the affected environment, environmental consequences of each alternative, and mitigation strategies. This information is presented using text, graphics, and tables in such a way as to provide the general public with an understanding of the analysis. Highly techncial information is often presented separate technical reports that are made available to the public. This is standard practice for EIRs and EISs, which would otherwise be too technical for the general public to follow.

I165-3

This comment states that there are errors in the environmental documents, but does not provide specific examples of where they believe this to be the case (but see additional comments/responses below). Without these specific citations, the Authority cannot respond to the general issues related to errors in the documents.

I165-4

This comment takes issue with the presentation of materials in the environmental documents, and states that there are errors in the environmental documents, but does not provide specific examples of where they believe this to be the case (but see additional comments/responses below). Without these specific citations, the Authority cannot respond to this comment.

I165-5

See Response to Comment I009-6.

I165-6

See Standard Response 10.

I165-7

The medium noise impact rating is based on: (1) grade separations which would eliminate the need for bells at crossings and for the Caltrain trains to sound warning horns as they approach each grade crossing; and (2) lower operating speeds resulting in noise levels similar to the existing Caltrain operations. The existing Caltrain trains are pulled by diesel locomotive. The locomotives are

considerably heavier than the HST vehicles and generate a higher level of ground vibration. As a result, the existing ground vibration caused by the Caltrain operations is higher than a high-speed train. The additional frequency of HST operations would contribute to a potential impact which is the basis of the medium vibration impact rating. See Standard Responses 3 and 5.

I165-8

The visual impact analysis in Chapter 3.9 of the 2008 Final Program EIR discussed the project as defined in that document. It considered the relative impacts along the entire Caltrain corridor. The visual analysis does not reflect statements made in the 2009 Business Plan. For the majority of the Caltrain corridor, the HST would have a low visual impact. The project-level EIR/EIS, currently underway, will make a more detailed assessment of all impacts, including grade separations.

I165-9

Chapter 3.10 of the 2008 Final Program EIR identified the potential for public utility impacts/conflicts at the program level. Project specific impacts on public utilities will be addressed at the project level.

I165-10

See Response to Comment L003-92. More detailed information and analysis on potential hazardous materials/waste impacts and mitigation measures including those related to arsenic and naturally occurring asbestos will be included in project-level environmental documents.

I165-11

The revised project description between San Jose and Gilroy would not result in changes to the discussion of cultural resources beyond what was identified in the 2010 Revised Draft Program EIR Material related to Keesling's shade trees. The analysis for cultural resources is included in the May 2008 Final Program EIR, Chapter 3.12, Cultural Resources and Paleontological Resources, and Appendix 3.12-A. Resources are included in the 2008 Final Program EIR, Appendix 3.12-A. In addition to the records search conducted as part of the 2008 Program EIR, previous studies prepared for the 2005 Statewide Program EIR were utilized and included the Sacramento to Bakersfield, Cultural Resources Technical Evaluation (Applied Earthworks 2004) and the Bay Area to Merced, Cultural Resources: Historic Architecture Technical Evaluation (JRP Historical Consulting Services 2004).

Under Section 106 of the National Historic Preservation Act (36 CFR § 800), the procedures to be followed at the project level include identification of resources, evaluation of their significance under the National Register of Historic Places and CEQA, identification of any substantial adverse effects, and evaluation of potential mitigation measures. Specific resources within the Area of Potential Effects will be further examined in detail at the project level because the identification of potentially affected resources and project effects and mitigation are dependent on the HST location and system design, and can only be done at the project level. See Response to Comment L003-79.

Comment Letter I166 (Gail Woolley, April 13, 2010)

I166

1685 Mariposa Avenue
Palo Alto, CA 94306
April 13, 2010

Dan Leavitt
California High-Speed Rail Authority
925 L Street, Suite 1425
Sacramento, CA 95814

Bay Area To Central Valley Revised Draft Program EIR Comments

Chapter 2: **Project description**

The impacted area should be congruent with the affected area, not simply be "within 50 ft of either side of the existing corridor." The affected area of various impacts may well differ. For example, the noise from elevated trains would affect a larger area than the noise from trains in a trench. One size area does not fit all impacts. Make the area studied as large as needed to fully analyze each individual impact for each alternative. I166-1

"There are 168 known cultural resources." What are these resources? How will each be affected? If affected, how mitigated? I166-2

2008 EIR

Volume 1 - Section 3.4 - **Noise**

Noise level: The impact needs to be determined separately for each of the alternatives. Furthermore, if there are mitigations such as sound walls, the resulting noise level with the mitigation needs to be determined for the entire affected area. An aerial viaduct with sound walls would likely significantly impact residents on Bryant and Waverley as well as Castilleja and Madrono. I166-3

Duration of noise: This element as well as the dB level should be considered. Since the number of trains will increase greatly, the percentage of a given period with increased noise will also be greater. Based on the projected number of Caltrains and HSR trains, how much will the duration of noise increase per given period?

Miscellaneous

Aerial Viaduct alternative: How will the area under the viaduct be treated? Fenced? Planted? Used for a parking lot? What entity will be responsible for maintaining any landscaping and removing litter and graffiti under the viaduct? How much will this upkeep cost? Is this expense item included in the revenue projection? Will any of the cost be borne by the cities? I166-4

Local transportation: I166-5
Since Caltrain will only have two tracks throughout the corridor, the popular baby bullet trains will be eliminated. What will the impact be on Caltrain ridership? What will the impact be on vehicle trips within the corridor? I166-6

If any section of Alma is reduced to two lanes, what will the impact be on travel time on Alma? What will the impact be on Emerson? Waverley? El Camino?

Since the original plan stipulated that Caltrain will continue operation during construction, will Alma be impacted? If closed, what will the impact be on Emerson? Waverley? El Camino? I166-7

Gail Woolley

Response to Letter I166 (Gail Woolley, April 13, 2010)

I166-1

Chapter 2.2, Revised Land Use Analysis: San Jose to Gilroy, in the Revised Draft Program EIR Material and Chapter 3.7 of the May 2008 Final Program EIR discus the analysis of land use impacts. To determine potential property impacts, the land uses within 50 ft of either side of the existing corridor or within 50 ft of both sides of the centerline for new HST alignments were characterized by type and density of development. The study area for land use compatibility, communities and neighborhoods, and environmental justice is 0.25-mile on either side of the centerline of the rail and highway corridors included in the alignment alternatives and the same distance around station location options and other potential HST-related facilities. This is the extent of area where the alignment alternative might result in changes to land use; the type, density, or patterns of development; or socioeconomic conditions. For the property impacts analysis, the study area is narrower as noted above o better represent the properties most likely to be affected by the improvements in the alignment alternatives. As noted in Chapter 3 of the May 2008 Final Program EIR, varying study area widths were used for noise/vibration, biological resources and wetlands, cultural resources, visual, and parks and recreation.

I166-2

See Response to Comment L003-79. Resources are included in the 2008 Final Program EIR, Appendix 3.12-A. Specific resources and the scale of impacts will be further examined in detail at the project level because they are a product of the HST system design, and the detail necessary to identify the project effects on cultural resources, the level of significance, and measures to minimize harm and mitigation can only be done at the project level.

I166-3

Please see Standard Response 10, Caltrain Service and Corridor Issues.

I166-4

The utilization of the area under elevated structures can be analyzed as part of the project-level EIR/EIS. Potentially, local jurisdictions will be consulted to see what uses they want permitted and to determine the responsibility and liability for those uses. As stated in your comment, a wide variety of uses are common under elevated structures. Examples from existing elevated corridors include linear parks, like the Ohlone Trail in the East Bay, or parking, in commercial areas where it is desired.

I166-5

See Response to Comment I006-10.

I166-6

We disagree with this comment. A detailed discussion of Caltrain/High-Speed Train operational scenarios is beyond the scope of the Program EIR. Chapter 2 in the 2008 Final Program EIR discusses the shared track proposal for the Caltrain Corridor and identifies that Caltrain service and High-Speed Train service are intended to be complementary.

I166-7

Permanent and temporary (construction-related) road closures will be evaluated at the project-level. The effect of road closures and other project attributes on roadway traffic Level of Service and accessibility will be evaluated in the project-level traffic impact analysis study. The results of this study will be documented in a project-level EIR/EIS.

Comment Letter I167 (Neng-Ming Wang, April 26, 2010)

I167

Kris Livingston

From: Normwang@aol.com
Sent: Monday, April 26, 2010 3:22 PM
To: HSR Comments
Subject: High Speed Rail

California High Speed Rail Authority
925 L Street, Suite 1425, Sacramento, CA

In order to minimize environmental impacts and overall project costs, please consider the following alternative:

1) No new high speed rail between San Francisco and San Jose Diridon Stations;
2) Add Baby Bullet trains to currently available for the convenience of Peninsula residents and visitors. I167-1

My gut feeling is that the time saved by having new high speed rail between San Francisco and San Jose with two stops in between (Millbrae and either Palo Alto or Mountain View) is not justifiable for the huge costs and environment damages incurred. Thank you

Neng-Ming Wang
101 Alma Street, Apt. 1105
Palo Alto, CA 94301
email: Normwang@aol.com

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Response to Letter I167 (Neng-Ming Wang, April 26, 2010)

I167-1

Ending HST in San Jose and having all the passengers bound for destination north of there transfer to Caltrain, consider that the Caltrain infrastructure would need to be increased to carry all the additional, yet slower, trains. The capacity of a single HST is double that of a Caltrain Baby Bullet. Caltrain would need to be completely grade separated and parallel tracks added to absorb the passengers transferring from HST in San Jose. Cutting HST back to San Jose would not eliminate the need for many more trains to run up the peninsula. See Standard Response 10 regarding alternatives.

Comment Letter I168 (Andrew Wang, April 6, 2010)

I168

Kris Livingston

From: andrew wang [acmwang27@yahoo.com]
Sent: Tuesday, April 06, 2010 10:17 AM
To: HSR Comments
Cc: plandiv.info@cityofpaloalto.org
Subject: High Speed Rail

Mr. Dan Leavitt:
I do not support a high speed rail line running thru the pennisula, from San Jose to San Francisco. I think the moeny colud be well spent to improve the public bus and Cal-Train services. I168-1
Andrew Wang, Palo alto resident

1

Response to Letter I168 (Andrew Wang, April 6, 2010)

I168-1

Comment acknowledged.

Comment Letter I169 (David S. Vick, April 25, 2010)

I169

Kris Livingston

From: David S. Vick [davesyftestad@yahoo.com]
Sent: Sunday, April 25, 2010 6:31 PM
To: HSR Comments
Subject: "Bay Area to Central Valley Revised Draft Program EIR Material Comments". I urge HSR underground

To:

California High-Speed Rail Authority

925 L Street, Suite 1425

Sacramento, CA 95814

I favor undergrounding the HSR through Palo Alto, and any other peninsula city that wants undergrounding and where it can be done.

I think it would be unwise not to underground in those cities, despite the higher cost. The ultimate benefit in greater property values and noise reduction and beauty of the cities make it the wise choice. I169-1

There would be savings in property that otherwise would need to be condemned, and the present areas where the at-grade tracks now are might be sold with proceeds used to meet undergrounding cost, or used for parks or put to other good uses.

Sincerely,

David S. Vick
323 Manzanita Avenue
Palo Alto, CA 94306

1

Response to Letter I169 (David S. Vick, April 25, 2010)

I169-1

Comments acknowledged. See Standard Response 10 regarding vertical profile alternatives.

Comment Letter I170 (Thomas C. Thomas, April 23, 2010)

I170

APR 26 2010

249 Santa Rita Avenue

Palo Alto, CA 94301

April 23, 2010

Dan Leavitt

California High Speed Rail Authority

925 L Street, Suite 1425

Sacramento, CA 95814

Subject: Bay Area to Central Valley Revised Draft Program EIR Material Comments

Dear Mr. Leavitt:

I have reviewed the Cambridge Systematics, Inc draft report entitled "Bay Area/California High-Speed Rail Ridership and Revenue Forecasting Study". The crucial element of this report is the data displayed in Table 3.13 Overall Choice Shares in SP Data. Unfortunately, the results found in this table do not correspond with common sense nor normal techniques for the construction of unbiased data bases. Therefore, the results are totally unreliable and biased as will be discussed below.

In the period of 1965 to 1970 while I was at SRI International in Menlo Park, California, I pioneered the use of logit and probit maximum likelihood analyses to transportation mode choices. Therefore I am well qualified to comment upon the technical details of the analysis when such information is provided in the final report. However, such a technical review is neither necessary nor possible at this time. It is not necessary because the problems are fundamental and not in the technical details at this point and the information in the draft report does not support a full technical analysis. The fundamental (but not sole) problem is the choice of baseline mode choice data and its projected revision of mode selection to reflect the availability of the High Speed Rail option. I170-1

Baseline Data

The purpose of the baseline data is to portray the current choice of travel modes in the State of California without the HSR option. To fulfill this purpose the data must be collected from a statewide sample which is drawn to reflect the overall characteristics of California travel in an unbiased way.

The Cambridge Systematics study combined 5 sources of data. Only one of the sources, " The California Department of Transportation study shown in Table 2.2 "Caltrans Travel Surveys of interregional Trips by Mode, Distance, and Purpose" meets the criteria of a California based random sample of trip mode choices and is the only baseline data appropriate to this study of the 5 studies cited. Three other studies: Table 2.3 by the Southern California Association of Governments, Table 2.4 by the Bay Area Metropolitan Transportation Commission, and Table 2.5 by the Sacramento Area Council of Governments, are probably unbiased in their local areas. They have no basis for being combined into a representative statewide study (and apparently no attempt was even made to find appropriate weights for each of the three studies) I170-2

The final study, the High Speed Rails own Air, Rail and Auto Passenger Survey (Table 2.1) can make NO claim to being a representative and unbiased analysis of statewide (or any other sub area) of usage levels. Its potentially greater validity in soliciting modal choice data given a high speed rail option can not be fully evaluated absent an analysis of the survey instruments, the respondent selection techniques, and pretest and posttests for biases. It is heavily biased toward responses from air travelers (when compared to the proportions in Caltrans Survey Table 2.2). This is a highly biasing factor since HSR is most competitive with air. It is also the largest pool of data with 2171 Long Trip respondents compared to 622 Long Trip respondents for the Caltrans survey. This size makes this biased pool of data (for use as baseline modal choice data) an overwhelming negative factor in the assessment of pre-HSR modal choice.

Illustration of Problems

The results of using a non-representative baseline can be easily seen in the reports Table 3.13 "Overall Choice Shares in SP Data" as compared to the only fully appropriate baseline Caltrans data in Table 2.2. For the Long Trip category, the following examples highlight the problems: I170-2 cont.

1) Table 2.2 (Caltrans) shows 7.6% of the long trip business trips (9/119) are by air. Table 3.13 (HSR table) shows that with HSR this percentage INCREASES to 20.9%. Somehow the advent of HSR will increase long trip air business travel by 2.75 times. Common sense strongly suggests that the advent of HSR would decrease the percentage of business air travel in the competitive corridors.
2) Table 2.2 (Caltrans) shows 92.4% of the long trip business trips (110/119) are by car (drive). Table 3.13 shows that with HSR this percentage decreases to 9.2%, a 90% decrease. Clearly, the ridership for the HSR is projected to ALL come from those who currently drive (since air travel also increases). HSR is not as close a substitute for the car as for air. Both air and HSR are limited point to point transportation. Both prior to the air or HSR portion of the trip, the passenger must find transportation to the embarkation location. At the end of the air or HSR portion, the traveler must either find public transportation/taxis or rent a car. All this takes time and depending on the starting and final ending location of the trip, the car may be the quickest mode for the entire trip. Its cost may also be less.
3) Table 2.2 (Caltrans) shows 95% of long trip combined recreation/commute/other travel is by car (drive). Table 3.13 shows that with the advent of HSR this percentage (for the other category, which is the travel category which summarizes nonbusiness travel) is 34.7%. Most of this decrease in car travel is seized by HSR at 56.2% and air at 6.2%. This result defies common sense especially for recreation travel. Most recreation travel is by more than one person and they visit multiple places.

Comment Letter I170 - Continued

Next Steps

The first step is obviously to base the analysis upon a representative and unbiased baseline. That should correct the most egregious problems seen in Table 3.13. But the results shown in Table 3.13 also lead me to believe that the survey instruments and selection of respondents is also highly likely to have serious problems especially for the sample for car drivers. As mentioned above, HSR and air travel have roughly comparable characteristics, but HSR and driving do not. It would be important in any survey of car drivers to ascertain their perceptions of the cost and time of obtaining a rental car and how that effected their inputs (with information on trip origin and perHaps multiple destinations). I170-3

I hope you will find the above comments useful in improving and fully disclosing your analysis techniques.

Thomas C. Thomas, PhD.

Table 2.2 Caltrans Travel Surveys of Interregional Trips by Mode, Distance, and Purpose

	Drive	Air	Rail	Bus	Other	Total
Long Trips						
Business	110	9	–	–	–	119
Commute	181	–	1	–	4	186
Recreation	175	–	–	1	3	179
Other	122	3	1	5	7	138
Short Trips						
Business	271	–	2	2	–	275
Commute	854	–	9	9	7	879
Recreation	550	–	–	1	3	554
Other	465	–	–	14	11	490
Total	2,728	12	13	32	35	2,820

[1] State of California, Department of Transportation, Division of Transportation System Information, Office of Travel Forecasting and Analysis, Statewide Travel Analysis Branch, *2000-2001 California Statewide Travel Survey Weekday Travel Report*, June 2003.

2-4 *Cambridge Systematics, Inc.*

Table 3.13 Overall Choice Shares in SP Data

	Long Trip		Short Trip		
	Business	**Other**	**Business**	**Commute**	**Other**
Car	9.2%	34.7%	27.9%	11.2%	50.4%
Air	20.9%	6.2%	0.0%	0.0%	0.0%
Conventional rail	1.3%	3.0%	21.8%	33.5%	14.1%
High-speed rail	68.6%	56.2%	50.3%	55.3%	35.6%

Cambridge Systematics, Inc. 3-33

Response to Letter I170 (Thomas C. Thomas, April 23, 2010)

I170-1

See Standard Response 4 regarding ridership.

I170-2

See Standard Response 4 regarding ridership.

I170-3

See Standard Response 4.

Comment Letter I171 (Franklin H. Olmsted, April 19, 2010)

I171

240 W. Charleston Road
Palo Alto, CA 94306-4127

April 19, 2010

Dan Leavitt
California High Speed Rail Authority
925 L Street, Suite 1425
Sacramento, CA 95814

Attention: Bay Area to Central Valley Revised Draft Program Material Comments

Subject: **Serious Omission in Draft Program EIR**

Dear Mr Leavitt:

A subject that I believe has not been adequately discussed at public meetings with HSR I have attended and, indeed, is missing in the Draft Program EIR, is the impact on commute and school vehicular traffic on Palo Alto streets adjacent to and crossing the RR alinement during the construction phase of the project. Detours and closures or partial closures of these streets, which include, Alma, Churchill, Meadow, and Charleston would seriously exacerbate an already bad situation for a long time. In addition, the noise, air pollution, and other impacts of construction activities, including many trips by heavy trucks, would place an added burden on Palo Alto neighborhoods beyond those adjacent to the railroad. No doubt similar impacts would be experienced by other San Francisco Peninsula cities along the route. The Program EIR should include this subject. I171-1

Sincerely,

Franklin H. Olmsted

Response to Letter I171 (Franklin H Olmsted, April 19, 2010)

I171-1

See Response to Comment 1052-5 regarding construction.

Comment Letter I172 (Jean Olmsted, April 18, 2010)

I172

7

240 West Charleston Road
Palo Alto, CA 94306

April 18, 2010

Dan Leavitt
California High-Speed Rail Authority
925 L Street, Suite 1425
Sacramento, CA 95814

Attn: Bay Area to Central Valley Revised Draft Program Material Comments

Subject: **HSR will damage historic Eichler homes built next to the tracks and on both sides of West Charleston Road, Palo Alto. Other Eichlers near the tracks will be negatively effected even if not taken.**

Eichlers which were built in the 1950s are now becoming eligible for historic status. The have gradually earned a well recognized status as especially desirable places to live. Well maintained Eichlers sell for impressive prices these days.

We like the big windows and the radiant heated floors which are an important part of the Eichler style. These characteristics make Eichlers easily vulnerable to privacy loss, view loss and noise impact (the windows) and to vibration damage (the radiant heated slab floors). I172-1

We have 96 houses in Eichler Tract 795. Twelve of these houses on Park Boulevard (from W. Charleston to the start of Robles park) have back yards next to the train tracks. On the north side of W Charleston in Eichler tract 840 there are 15 of the 61 houses in the tract that back up to the present railroad tracks.

Depending on the alternative chosen, High Speed Rail will have a devastating effect on this area of historic Eichler homes.

1. Even if the 100 foot right of way we have is sufficient to avoid the taking of back yards permanently, the temporary need for tracks to keep Caltrain functioning during track construction may require the taking of back yards.

2. Homes on West Charleston and Meadow will be taken if cars and people have to move under or over the tracks.

3. Park Boulevard and Meadow could be closed.

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4. Even Alma could be reduced in width. Alma is a major commute route. I172-1 cont.

5. Everyone would have to live through a long noisy, dirty construction period when traffic would be difficult or impossible. Charleston is a major commute route and a major school access route. I172-2

6. The taking of property by eminent domain would be expensive for HSR and very upsetting for residents. I172-3

7. Residents whose property is not taken but is anywhere near the tracks are already finding the sales value of their property is decreased. I172-4

8. HSR will make life difficult for the people living happily in the area now. People living in the area will have a lot more trains to cope with. Those people will be troubled by noise, vibration, loss of views, loss of privacy and disconnection from their neighbors even though their property is not taken. I172-5

Is there a way to successfully mitigate all these problems? My conclusion is that we can not "build it right", so we should not build high speed rail.

Sincerely,

Jean Olmsted

Jean Olmsted

Response to Letter I172 (Jean Olmsted, April 18, 2010)

I172-1

Comment acknowledged. Impacts of HST construction, operation, and maintenance on the neighborhood of Eichler homes in Palo Alto, which is listed on the National Register of Historic Places, will be further analyzed as part of the project-level EIR/EIS. See Chapter 3.12 of the 2008 Final Program EIR for mitigation strategies. Resource-specific cultural resources mitigation measures such as those resulting from noise, vibration, and visual intrusion will be developed as part of the project-level EIR/EIS and through the Section 106 consultation process.

Under Section 106 of the National Historic Preservation Act (36 CFR § 800), the procedures to be followed at the project level include identification of resources, evaluation of their significance under the National Register of Historic Places and CEQA, identification of any substantial adverse effects, and evaluation of potential mitigation measures. Specific resources within the Area of Potential Effects will be further examined in detail at the project level because the identification of potentially affected resources and project effects and mitigation are dependent on the HST location and system design, and can only be done at the project level.

See Chapter 3.4, Noise and Vibration, in the 2008 Final Program EIR regarding vibration mitigation measures and Chapter 3.9, Aesthetics and Visual Resource, and Chapter 3.18, Construction Methods and Impacts. Also see Standard Response 5 regarding noise and vibration.

I172-2

See Response to Comment 1052-5 regarding construction.

I172-3

See Standard Response 7 regarding Eminent Domain.

I172-4

See Standard Response 6 regarding property values.

I172-5

See Standard Response 2 regarding the tiered EIR process and Standard Response 3 regarding the level of detail for impacts analysis and mitigation in the program-level EIR. Detailed analysis at the project-level EIR/EIS will evaluate specific property, traffic, and construction impacts. Feasible mitigation measures will also be discussed at the project-level.

Comment Letter I173 (Jean Olmsted, March 17, 2010)

I173

4

240 West Charleston Road
Palo Alto, CA 94306

March 17, 2010

Dan Leavitt
California High-Speed Rail Authority
925 L Street, Suite 1425
Sacramento, CA 95814

Attn: Bay Area to Central Valley Revised Draft Program Material Comments

The effects on residents of living with HSR during the planning process, the construction process (3 to 7 years?), and after completion don't seem to get much attention, will be serious, and should be mitigated. I173-1

It is obvious that everyone in Palo Alto will be effected by HSR–if they drive a car, hear the trains, walk, shop, attend schools etc. What happens to the bike lanes on Charleston which have been re-laned to make it safer for bikers like children going to school? But I know our story best and will try to stick to that here. My neighbors have their own stories. I173-2

During the Planning Stage
At this point a lot of our valuable time and energy is being used up with worry and meetings about what is going to happen, an unproductive effort to find out what the facts are, and concern about what has happened. Our property is less valuable and less saleable because we live on West Charleston only two houses and a street (Park) from the railroad tracks. Depending on the alternative that is selected, our house could be taken by eminent domain (how much would we paid and where would the money come from?) or left so close to elevated tracks or some sort of structure that we would not want to stay in our house. Meanwhile we don't know even know whether it makes sense to make repairs to our house. I173-3 I173-4

During the Construction Stage
My husband's solution to all this confusion is to be dead (he is feeling old, not suicidal) before HSR is in place, but I unkindly remind him that he will have to live through at least some of the construction phase. That means trucks, noise, dirt, and traffic for long periods. Would the shoo fly tracks for Cal Train add further complications? Would Alma be closed to traffic? We would like at least to know whether our Charleston house or driveway access will be taken to provide a route over or under the tracks for car and pedestrian and bike access. Will we have to move out during the construction period or move out permanently? I173-5

Moving means a lot of work dealing with stuff and making new living plans. More important it means leaving friends and knowledge of where the grocery stores, parks, I173-6

5

and other such valuable resources are. Is HSR going to mitigate any of these problems? I173-6 cont.

After HSR Is Completed
At this point it is hard to imagine HSR ever being completed. There is not enough money to complete it with the federal, state, and city bodies all in debt. Who else would want to invest in an unfunded project? Any extra money ought to go to help people who are losing their houses or going hungry, schools that are failing, and an environment that we are destroying---rather than building a train only the affluent can afford to ride in. I foresee ourselves struggling in the post- construction stage to pay for the uncovered operating costs of the high speed train and for the bonds we have issued. Worst of all, Palo Alto may remind us of New York City and Chicago where the elevated metro tracks run through the middle of the city. We like to think of Palo Alto as a walkable city with trees and views. That will be gone with probably visible trains running through the middle of our city every 6 minutes. How do you mitigate that? Even tunneling and Cal Train electrified with protected crossings and frequent trains is not going to do much for the Palo Alto dream unless we can design attractive protected crossings. I173-7 I173-8

Since all these disruptions can not be mitigated, HSR should not be built. I173-9

Jean Olmsted

Response to Letter I173 (Jean Olmsted, March 17, 2010)

I173-1

More detailed information and analysis of noise and vibration impacts and mitigation will be included in project-level EIR/EISs. The project-level vibration analysis will consider impacts to both typical structures and to historic structures that may be mor susceptible to vibration. Appropriate mitigation, if necessary, can be incorporated into the project design to buffer vibration at the source.

I173-2

The project-level traffic impact analysis study will evaluate the effect of the project on existing and planned pedestrian and bicycle facilities. Detailed information and analysis of potential traffic impacts including impacts to pedestrian and bike facilities and feasible mitigation measures will be included in project-level EIR/EISs.

I173-3

Comment acknowledged.

I173-4

See Standard Response 6 and 7 regarding Eminent Domain and property values.

I173-5

See Response to Comment 1052-5 regarding construction.

I173-6

See Standard Responses 6 and 7.

I173-7

See Response to Comment I011-13.

I173-8

See Response to Comment O017-5.

I173-9

Comment acknowledged.

Comment Letter I174 (Larry and Kate Mone, April 24, 2010)

I174

Kris Livingston

From: Larry Mone [larry.mone@gmail.com]
Sent: Saturday, April 24, 2010 4:31 PM
To: HSR Comments
Subject: Bay Area to Central Valley Revised Draft Program EIR Material Comments Vibration & Noise
Attachments: HSR EIR Letter of concern.docx

April 24, 2010

Mr. Dan Leavitt, Deputy Director
California High-Speed Rail Authority
925 L Street, Suite 1425
Sacramento, CA 95814

Attn: Bay Area to Central Valley Revised Draft Program EIR Material Comments

Dear Mr. Leavitt:

I live on Park Boulevard in the Charleston Meadows area of Palo Alto bounded by West Meadow Drive on the north, Adobe Creek, on the south, and the Caltrain easement, and the proposed HSR corridor forms the eastern boundary of our street. My neighborhood along Park Boulevard is roughly 70 Eichler style single-family residences originally developed in the 1950s.

Many of these residences have Radiant heating systems built into the concrete slab on which the houses sit. Many more have the single pane floor to ceiling glass walls typical to Eichler construction. I174-1

I am concerned about the effects that vibration and noise will have on radiant heating systems and the single pane glass in our houses. Vibration and noise from both the construction and operational phases of the HSR project.

I am therefore requesting that the project level EIR/EIS identify and mitigate the effects that vibration and noise will have on radiant heating systems and the single pane glass in our houses.

Sincerely

Larry & Kate Mone
4163 Park Blvd;
Palo Alto, CA 94306
650.856.4221

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Response to Letter I174 (Larry and Kate Mone, April 24, 2010)

I174-1

More detailed information and analysis of nosie and vibration impacts and mitigation will be included in project-level EIR/EISs. The project-level vibration analysis will consider impacts to both typical structures and to structures that may be mor susceptible to vibration. Appropriate mitigation, if necessary, can be incorporated into the project design to buffer vibration at the source. See Standard Responses 3 and 5.

Comment Letter I175 (Randall Madsen, April 19, 2010)

I175

Kris Livingston

From: Randall Madsen [ramadsen@cisco.com]
Sent: Monday, April 19, 2010 10:45 AM
To: HSR Comments
Subject: High Speed Rail project

I would like to highlight the main criteria that I have, and I believe most residents who live near the HSR corridor have, for the HSR project.

1. The train or any structure required for HSR should not be visible from a residential property 2. The train should not be heard from a residential property 3. The train should not be a safety hazard for residents

The criteria can be addressed in many configurations, however, the Viaduct method should be completely off the table in residential neighborhoods. This configuration is a non-starter. It will be a blight that will cause massive property value degradation throughout the peninsula. I175-1

However, the other methods such as "at grade" or " trench" or "tunnel" would/could meet these criteria with careful and thoughtful design. For instance, the at grade method with proper sound proof walls at the right height can work. These methods are used along freeways and high traffic roads today....

I look forward to seeing some of these designs and will participate with more comments etc...

Randall Madsen
3437 Park Blvd
Palo Alto, CA
94306

650-387-8733

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Response to Letter I175 (Randall Madsen, April 19, 2010)

I175-1

The various alignment alternatives (aerial, at-grade, trench and tunnel) are all potentially viable alternatives and could move forward for further design development and evaluation during the subsequent project level environmental review. The impacts of the various alternatives will be evaluated as part of the project-level environmental analysis when more detail on location and design are available. See also Standard Response 3.

Comment Letter I176 (Mr. McRay, April 9, 2010)

I176

Kris Livingston

From: powers5500@aol.com
Sent: Friday, April 09, 2010 9:36 AM
To: HSR Comments
Subject: "San Francisco to San Jose Section Preliminary Alternatives Analysis Report Comments"

To Whom It May Concern:

I am writing to comment on the San Francisco to San Jose Section Preliminary Alternatives Analysis Report. I think that the current California Avenue Caltrain Station in Palo Alto ~~should be considered in addition to, or instead of the~~ University Avenue Caltrain Station for the potential mid peninsula High Speed Rail station stop. While the proposed University Avenue station is within close proximity to Palo Alto's "small town / main street" downtown, and the primary road entrance to Stanford University it does not have good road access or connectivity to freeways to deliver potential riders to the station. Also the land around the station is somewhat constrained by a historic train station and newly constructed buildings that do not provide a lot of space for future Transit Oriented Development in close proximity to this proposed station.

The California Avenue Caltrain Station on the other hand has many things going for it. The station is serviced by a major high capacity expressway/road (Oregon Expressway and Page Mill Road) which provide direct connectivity to both Highway 280 and Interstate 101. In addition the City of Palo Alto has enacted a Pedestrian and Transit Oriented Development (PTOD) combining district in the area to the southwest of the station (roughly bounded by Alma Street, Oregon Expressway/Page Mill, El Camino Real, and College Avenue). This PTOD district is intended to accommodate future Transit Oriented Development in the under-developed California Avenue area. I176-1

The development in this area is primarily low density and non residential in nature with surface parking lots and other under-developed parcels. It has a much greater potential for redevelopment and lesser impacts to residents of the surrounding area. Most importantly a High Speed Rail stop at the California Avenue Caltrain station would provide fast, convenient service to the numerous businesses and employees of the Stanford Research Park and Stanford University. This could provide a tremendous boost to ridership and would be a much better and less disruptive station location than the currently proposed Palo Alto High Speed Rail station stop at University Avenue.

Mr. McRay
3045 Alma Street
Palo Alto, CA. 94306

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Response to Letter I176 (Mr. McRay, April 9, 2010)

I176-1

This document is concerned with the 2010 Revised Draft Program EIR Material. Comments regarding the San Francisco to San Jose Preliminary Alternative Analysis Report are outside the scope of this document.

Comment Letter I177 (Asha and Vishram Karmarkar, April 24, 2010)

I177

Kris Livingston

From: vkassoc@aol.com
Sent: Saturday, April 24, 2010 5:12 PM
To: senator.simitian@sen.ca.gov; plandivinfo@paloalto.org; HSR Comments; vkassoc@aol.com
Subject: Comments on Peninsula Segment for High Speed Rail
Attachments: simitian.doc

Gentleman:

Please see our comments on above topic.

Asha and Vishram karmarkar

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April 24, 2010

Dear Senator Simitian:

Subject: Peninsula Segment for High Speed Rail

We are writing you to express our concerns with the High Speed Rail Project. Proposition 1A narrowly passed in November of 2008 with a 52.2% vote, but we believe this may not have been the case if the voters had received all of the real facts. We were not told that Pacheco Pass would be the route chosen (or was even in consideration) resulting in potential imminent domain and the effective destruction of numerous Bay Area communities. In addition to thousands of properties being partially seized, there are major concerns regarding environmental impact, division of communities along the Peninsula and South Bay, impacts to schools and school children who must cross the tracks at what would be faster than highway speeds, noise factors, and various other impacts, many of which have yet to be detected. I177-1

This all coming at a time and with a burdensome monetary impact, which this state, individuals, and businesses simply cannot afford. Property values have already declined in our area due to imminent domain. We believe volumes of middle class families and businesses will leave the state, reducing necessary state revenue. In addition to the costs to built the rails, we expect this project to continue to be a monetary sinkhole as is the case with many other public transit options currently available in this state. I177-2

This intentional deceit of the High Speed Rail Authorities to withhold appropriate information (including misleading ridership estimates, being told that tunneling was a possibility and then not a possibility in addition to the aforementioned) that would have informed the voters of the consequences associated with a "Yes" vote is especially disconcerting. We understand the High Speed Rail Authority has only until September 2012 to complete plans in order to receive Federal Funding and believe, given the history of deception and neglect by the Authority, that they will irresponsibly rush the plans just to obtain funds in an "act first, think later" approach. I177-3

We believe the voters should have been better informed and that given another vote, would not pass this proposition again. We are asking for your help to represent the needs of our community and our state by listening to your constituents and acting in our best interest, so that if this High Speed Rail is built, it does not run through our neighborhoods. I177-4

Thank you,

Asha and Vishram Karmarkar
4127 Park Blvd.
Palo Alto, CA. 94303
Tel: 650-852-9516

1-1-1995 16050-1 MASTER SPEC

Response to Letter I177 (Asha and Vishram Karmarkar, April 24, 2010)

I177-1

Comment acknowledged. The 2008 Final Program EIR identified that the HST project would result in significant impacts to the physical environment. The 21 network alternatives studied in the EIR each involve adverse environmental impacts, along with substantial project benefits. The EIR identified mitigation strategies to address the adverse impacts to the greatest extent feasible. In addition, the EIR discloses that regardless of alternative selected, significant adverse environmental impacts are anticipated, though the scale and location of these impacts may differ between alternatives.

Additional site-specific analysis of potential land use, community cohesion, school, safety, noise, and other impacts will be conducted for the project-level EIR/EISs.

I177-2

Project funding is detailed in the 2009 Business Plan, see Standard Response 8.

I177-3

The comment does not appear to address the 2010 Revised Draft Program EIR. Regarding concern about ridership estimates, the Authority has not withheld information about the ridership forecasts it has used in the Program EIR. As disclosed in Chapter 2 of the 2010 Final Program EIR, the Authority used ridership forecasts developed by a leader in statewide travel demand modeling for the Metropolitan Transportation Commission. See Standard Response 4.

I177-4

Comment acknowledged.

Comment Letter I178 (Roger E. Sack, April 26, 2010)

I178

Kris Livingston

From: resack1102sc@gmail.com
Sent: Monday, April 26, 2010 4:33 PM
To: HSR Comments
Subject: HSR Comments
Attachments: Copy of second copy of comments@hsr.ca.gov.doc

Attached: Copy of second copy of comments@hsr.ca.gov

Message from resack1102sc@gmail.com:

Please see attached document.

Regards,

Roger E. Sack
Palo Alto
Google Docs makes it easy to create, store and share online documents, spreadsheets and presentations.

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comments@hsr.ca.gov

General Comments on the revised program EIR: California High Speed Rail

In the 1950s the City of New York demolished the Third Avenue Elevated Line which had stood
for over 80 years and traced a ribbon of blight up the full length of Manhattan and into the Bronx. The removal of this elevated structure sparked an immediate revival of this area which

continues today. High value residential and commercial development has replaced the substandard properties which had previously lined the route. I offer this example because I178-1

it illustrates the probable consequences of the construction of an elevated structure for

High Speed Rail along the Peninsula Corridor. An elevated structure will bring blight to

some of the most desirable communities in the United States, the very blight that the

City of New York had the wisdom to eliminate over a half century ago.

The CHSRA's program EIR considers, among other alternatives, an elevated structure for the San Francisco to San Jose Caltrain corridor. I am request that the CHSRA provide the following as part of the environmental impact of such a structure. I expect that the CHSRA will support its claims about environmental impacts with hard data. As the CHSRA has stated, there are other HSR systems in the world.

The CHSRA has not provided the public a sufficient level of detail to allow for an adequate evaluation of its assessments of environmental impact. The CHSRA should share its' research, assumptions, and details of its decision matrices with community based consultants. This will provide data for an informed discussion of EIR assessments by the CHSRA. I expect CHSRA will present us with real data collected from impact studies, not just the CHSRA's subjective assessment that a particular feature of the project will have minimal impact. This tendency on the part of CHSRA remains one of the more disturbing and unsettling aspects of the program documents. I178-2

What are the basic assumptions that drove it's choice of corridor, alignment alternatives, equipment features, impact assessments and mitigating measures? Each choice represents a trade off among construction and operational efficiencies, costs and environmental impacts. For the public to be able to work collaboratively with the CHSRA and Caltrain, we must know the values assigned to the various trade offs. I178-3

Because the elevated/aerial alternative for bringing high speed rail through Palo Alto is likely to pose the most severe environmental impact from the standpoints of visual and noise pollution, the CHSRA should make its highest priority the investigation of the I178-4

Comment Letter I178 - Continued

feasibility of all alternate solutions to an elevated system. These include, in order of priority: 1) tunneling, 2) trenching, 3) cut and cover, 4) at grade. I178-4 cont.

All EIRs must include the severity of environmental impacts along the right of way from the center of the railway right of way to at least 500 feet on each side, or further if the context (vibration and noise studies) demands. I178-5

A) Visual Impacts

The CHSRA must examine the environmental impact of the visual clutter of an elevated or at grade electrified system with catenary in neighborhoods of one story dwellings. Some of these neighborhoods have historical status. The evaluation of such impact should include realistic mock-ups of both vertical alignments including catenary and trains with pantographs.

My neighborhood consists mostly of single story homes with lawns, bushes and trees. Any elevated structure, will replace natural views with man-made structures. Any widening of the right of way will require the destruction of the trees which currently screen the view of the tracks. Even an at grade solution with pantograph and catenary will introduce man made visual clutter and require trimming or removal of many trees. I chose to buy a home in this area because of the park and the greenery. The closeness to the Caltrain right of way was/is mitigated by the greenery. The development of the HSR threatens that mitigation. I178-6

In order to mitigate increased noise pollution and to reduce unwarranted access to the right of way, a soundwall has been proposed. Once again this would substitute a man made structure for the natural screen that we now have.

A crucial mitigation for the visual clutter imposed upon the communities by either an electrified at grade railway with catenary or an elevated/electrified railway along the Caltrain right of way should be a **significant investment to replace the natural screening landscaping. The CHSRA has not specified the type of landscaping to be planted. It should provide a screen to hide the train from surrounding homes and roadways.** This means planting fast growing trees of upright habit that are already substantial in size, and drought tolerant bushes. How many feet apart? What size will they be at the time of planting (please specify container size)? Who will pay the costs of increased water consumption that these new plantings will require? Please identify the source funding allocated to maintain the landscaping in a well-groomed and healthy state. **The level of visual environmental impact should be evaluated by an advisory board made up of representatives of the affected communities.**

B) Noise:

CHSRA has not cited scientifically designed studies on the effects of noise that will be generated along the corridor. The communities affected need to be able to evaluate the environmental impact of an at grade or elevated train traveling at 120+ mph combined with freight, baby bullets from Caltrain and Caltrain local trains.The CHSRA must present its data on the experience of people living near such tracks. Such data should include the experience of the environmental impact at different distances from the train as well as the effect of a sound wall. The CHSRA needs to make explicit how it evaluates **studies relevant to the impact of such noise on different age groups and different activities of daily life. There is reason to assume that the effects of noise is greater in the young, developing brain and in the elderly.** I178-7
http://www.nonoise.org/library/smj/smj.htm

How does the CHSRA propose to protect those more vulnerable from the cognitive and emotional effects of increased exposure to noise generated by the High Speed trains in combination with Caltrain and UP? Infants and young children as well as the elderly often nap during the day, or sleep at times that may have peak train frequencies.

"Research shows that interruption of deep sleep has a dramatic effect on the body's metabolism and the conversion of sugar into energy, heightening the risk of diabetes." http://www.globalaging.org/health/world/2008/sleep.htm I178-7 cont.

The CHSRA sould specify what mitigations to daytime and nighttime noise levels will be made. What funds will be allocated to assist residents directly impacted by the increase noise levels and the increased accumulated noise load? Residents may need to add sound abating materials to their homes and replace windows and/or install air conditioning if the external noise level makes it unhealthy to sleep with open windows.

C) Maintenance:

CHSRA should conduct or make available scientifically-designed studies to determine the amount of debris/dust and other particulate matter (grease, oil) generated along the route as trains pass at high speeds through the neighborhood. The issue of pollution and maintenance is not adequately addressed in the document.

The CHSRA must also identify the sources of funds for maintaining the right of way,deodorizing and cleaning litter that will inevitably accumulate in underpasses and for removing graffitti from concrete surfaces. **The CHSRA must clarify how affected communities may work with CHSRA to determine maintenance standards. As rolling stock and infrastructure ages, costs of maintenance will inevitably increase. Please specify how the CHSRA has calculated the cost of maintenance over the next ten, twenty and fifty years given the predicted rate of obsolescence of rolling stock and infrastructure.** I178-8

D) Vibration:

There are potentially two sources of vibration. The first is from the construction phase and the second from the operational phase. Studies of vibrations emitted by each construction alternative and its corresponding operational vibrations have not taken into account the specific effects on Eichler homes along the route. These homes with radient heat flooring and large floor to ceiling windows may have unique vulnerabilities. The CHSRA should provide data for the community to evaluate the degree to which vibrations from the passing trains affect the adjacent soil and homes. These data will be different with different vertical alignments and soil conditions. The vibration emitting events will be frequent by most technical definitions, thus more likely to be annoying. Please specify the CHSRA estimates of the VdB at varying distances from the center of the railway right of way (up to 500 feet)* and indicate how you arrived at those estimates. I178-9
(www.fra.dot.gov/downloads/RRDev/final_nv.pdf)

Comment Letter I178 - Continued

I can feel the freight trains as they pass along the tracks which are almost 200 feet from my home. The vibration sometimes feels like the preamble to an earthquake. With the right of way shared by Caltrain, HSR and UP, the UP may be required to operate during night time hours only. With up to 5 freights per night, sensitive receptors, people sleeping in their homes, may have their sleep affected multiple times per night. Please cite the health effects of such sleep interruptions and how they might be mitigated. I178-9 cont.

E) Eminent Domain and Reverse Condemnation

The CHSRA has not detailed its procedure for eminent domain. Nor has it identified all properties that would be subject to eminent domain under its various vertical alignment strategies.

Homes should be valued prior to the election in Nov. of 2008. The impact of the HSR on value of property can be measured by assessing the changes in value of properties in similar neighborhoods that do not abut the right of way. If other properties have gone down 5%, for example, since November of 2008, but the homes near the right of way have gone down 15%, we can assign the greater dip in value to the effect of the impending construction of the HSR. The CHSRA should appeal to the county to lower property taxes for those owners whose properties lose value.

Some homeowners in the affected areas have applied Prop 60 or Prop 90 in the purchase of their homes. The CHSRA shpuld set aside funds, or move to **create legislation, as part of its powers of eminent domain to extend a one time exception to the one time rule for those homeowners who must sell because they cannot tolerate the environmental impact of the HSR structure.** The decision to sell and relocate under this one time exception should be the option of the affected homeowner.The CHSRA should make its intentions relative to this item explicit. Furthermore, since prop 60/90 only applies when a new home is less expensive than the one being sold, **I want the legislation to allow owners to value their property based on it's purchase price, or the estimated value prior to the passage** I178-10

The CHSRA must specify how much money will be set aside for reimbursement of property owners whose **property suffers damage over time from the environmental impact of the railway.**

The CHSRA should also be required to specify how it will **reimburse property owners who are temporarily dislocated due to the disruptive effects of the construction.** How will you help homeowners, whose well being dictates that they move from their impacted residences and the noise, dirt, interruption of traffic flow, etc of the prolonged construction? How will dislocated residents be able to access funds to help them relocate temporarily? Will such homeowners receive respite from paying property taxes on homes they cannot inhabit? Will the CHSRA pay the property taxes on these temporarily uninhabitable homes? Will displaced homeowners be eligible for a tax deduction for the cost of maintaining a second residence?

I want the CHSRA to reply to the issues raised in this section. I have raised these issues before and there has been no response.

Regarding prop 58, anyone needing to relocate because of HSR should have an exception, under prop 58, similar to Prop 60/90. This exception should apply regardless of age, regardless of whether or not they have previously used their Prop 60/90 provisions, and regardless of whether they received their property via Prop 58. The use of this exception should not count against any future usage of Prop 58 or Prop 60/90. I178-10 cont.

F) Security

One of the goals of CHSRA is to attract passengers away from cars and planes by providing safe and speedy transit. However, the CHSRA does not address issues of security on the trains and along the railway. I want CHSRA to describe anticipated security procedures such as passenger screening, track monitoring, onboard security monitoring. **The lessons of London, Madrid and Moscow, make it a folly to assume that no security screening or monitoring will be needed along the miles of railway. The CHSRA must specify how much these measures will cost as part of the initial construction, and as part of ongoing operations. I want to know how much time security procedures will add to the trip for each passenger.** Currently airlines have required passengers to arrive 60-90 minutes earlier than departure time. What will be the requirement for railway travelers? I178-11

G) Cost estimates

The CHSRA has cited the relative costs of the various vertical alignments of the railway from San Francisco to San Jose. It is difficult if not impossible to evaluate the estimated costs of construction when we do not have better estimates of the costs of eminent domain posed by some alternatives vs the opportunity costs of reclaimed land afforded by others. **Numbers** I178-12

are needed.

H) Consultants and Contractors

I believe that the affected and interested communities must have access to the credentials of all consultants hired by the authority and a list of their previous collaborations with members of the CHSRA and Caltrain. **No consultants or firms hired during the project document phase should be employed during the construction phase.** This would eliminate the appearance of bias from the expert consultants who might otherwise be seen as recommending construction alternatives that they are then hired to execute. I178-13

I) Environmental Justice

As I understand it, this term is used assess whether low income and minority populations are over represented among those the directly and indirectly impacted, by a project. I assume that this is because, historically, these groups have been more vulnerable and have not had the resources that might allow them to change their circumstances should the proposed project create environmental conditions that prove intolerable to them. With reference to the present project, the population of those who are both vulnerable and without resources to relocate and remain in some proximity to their community will be very I178-14

Comment Letter I178 - Continued

high. When a high percentage of one's life's savings is invested in one's home, as is typical along the SF-SJ corridor, there are few options to relocate when one's home loses value. **Make no mistake, residential property values will plunge and any alternate residence further from the railway, will become relatively more expensive for those in highly impacted neighborhoods. The elderly and the young family with one wage earner will be particularly affected.** What has the CHSRA provided for these vulnerable populations under provision of Environmental Justice?

I178-14 cont.

J)Transparency of Communication and Information Sharing

The public relations effort by the HSR/CHSRA has been a case of receiving a great deal of information from the public over a series of meetings and workshops but giving back very little information. Because of this, there is no way to know what information coming from the public has been understood, internalized, misunderstood, or laughed off.
I am requesting that the CHSRA provide the public with the data to understand the basis for the design features it sets out in the project level document. Each of these features will have its own environmental impacts. Each choice will represent trade offs among construction and operational efficiencies, costs and environmental impacts. **For the public to be able to work collaboratively with the CHSRA and Caltrain, we must know the values assigned to the various trade offs.**

I178-15

I am concerned that in today's constricted financial environment, cost will be the most powerful value guiding design features. We will be living with CHSRA's decisons for the rest of our lives. **Cost must not be allowed to be the sole determination of what gets built. If we cannot build it right, we must not build it.**

Roger E. Sack
4104 Park Blvd.
Palo Alto, CA 94306

Response to Letter I178 (Roger E. Sack, April 26, 2010)

I178-1

The Third Avenue Elevated in New York City was built well over 100 years ago. It used the technology available at the time and ran above public streets, placing the trains a few feet from the upper story windows of homes and businesses lining the streets and allowing very little light to the floors below. The HST project would be within the existing Caltrain right-of-way to the extent possible, and would utilize modern design and construction practices. This would limit the blighting conditions associated with 19th Century elevated railroads.

I178-2

Comment acknowledged. Project-level design and environmental review will provide the type of detailed information that the commenter requests. At the program level, the Authority believes the Program EIR is sufficient for identifying the broad choices and tradeoffs involved in making a general decision on an alignment connecting the Bay Area to the Central Valley.

I178-3

The discussion of the basis of the preferred alternative was included in Chapter 7 of the 2010 Revised Draft Program EIR Material. This discussion describes the tradeoffs between alternatives and how well the alternatives meet the project objectives.

I178-4

See Response to Comment I175-1.

I178-5

As noted in Chapter 3.4 of the May 2008 Final Program EIR, varying study area widths were used for noise/vibration, depending on the expected speeds withing the segment. Where speeds are expected to be low, a study area of 100 feet on both sides of the alignment was used. For top-speed areas, the potential impact study area extended to 200 feet on both sides of the alignment. This methodology is consistent with screening criteria recommended by FRA, FHWA, and FTA. Detailed analysis at the project-level EIR/EIS will evaluate noise and vibration impacts. Feasible mitigation measures will also be discussed at the project-level.

I178-6

A photosimulation was provided in Chapter 3.9, Aesthetics and Visual Resources, in the 2008 Final Program EIR of an elevated section passing the Burlingame Caltrain depot. This location was chosen to show the proposed project in the context of a historic building. The Final Program EIR included additional simulations for prototypical locations throughout its study area, but did not include one for Palo Alto. Additional simulations are underway as part of the project-level analysis.

The 2008 Final Program EIR assumed that Caltrain and HST would remain within the existing right-of-way at most locations, meaning that trees outside the right-of-way would not be removed, although some trimming would be required for vegetation intruding on the right-of-way. If there is a need to acquire adjacent properties for locations where the current Caltrain right-of-way is not wide enough to accommodate the addition of HST, replacement landscaping would likely be established outside the area required for rail operations. This landscaping would replace that removed for the project. In locations where existing trees exist on the Caltrain right-of-way, design and engineering underway as part of the project-level EIR/EIS will determine if they are located where they cause no interference with the future rail operations. In the case of retaining walls or sound walls, potential mitigation includes introducing vines to the surfaces of walls, or dense landscaping to obscure them.

The type, size and design of replacement landscaping will be discussed as part of the project-level EIR/EIS.

I178-7

More detailed information and analysis of nosie impacts and mitigation will be included in project-level EIR/EISs. See Standard Responses 3 and 5.

I178-8

See Response to Comment I137-8.

I178-9

See Response to Comment I178-7. More detailed information and analysis of vibration impacts and mitigation will be included in project-level EIR/EISs. The project-level vibration analysis will consider impacts to both typical structures and to structures that may be more susceptible to vibration. Appropriate mitigation, if necessary, can be incorporated into the project design to buffer vibration at the source.

I178-10

See Standard Response 7 regarding Eminent Domain.

I178-11

An HST system Safety and Security Program Plan (SSPP) will be prepared at the project level to define safety and security goals and objectives. A major component of this plan will be a Threat and Vulnerability Analysis (TVA). This analysis will identify potential threats related to transit people and property and will provide guidance in implementing protective measures through incorporation of design features and operational tactics. This process will be in compliance with the U.S. Department of Transportation and Department of Homeland Security guidelines.

I178-12

See Response to Comment I011-13.

I178-13

Comment acknowledged. The Authority will comply with all applicable laws and regulations in the bidding and hiring process for construction of the HST system.

I178-14

See Standard Responses 3 and 6.

I178-15

Comment acknowledged. Information on the project and environmental documents and other studies are provided at the Authority offices and on their web site. No single metric determines viability of an alternative. All metrics are assessed to determine the optimal design.

Comment Letter I179 (Dr. Hugh MacMillan, April 19, 2010)

I179

Kris Livingston

From: Hugh MacMillan [machugh@gmail.com]
Sent: Monday, April 19, 2010 4:53 PM
To: HSR Comments
Subject: Bay Area to Central Valley Revised Draft Program EIR Material Comments
Attachments: ltr to HSRA, 4-19-10.doc

Please see the attached letter in response to request for public concerns about the subject EIR.
The same letter has been mailed by US post to Dan Leavitt.
Hugh MacMillan

1

April 19, 2010

Dan Leavitt
California High-Speed Rail Authority
925 L Street, Suite 1425
Sacramento, CA 95814

Attn: Bay Area to Central Valley Revised Draft Program EIR Material Comments

I am submitting this letter to express my concerns about three environmental impacts of the CHSR project as it is presently proposed for construction on the San Francisco-to-San Jose segment.

I am a retired career engineer with significant experience in aerodynamics, acoustics, and construction. I have lived in this home in Palo Alto, CA since 1977. The existing Caltrains right-of-way is contiguous to my rear property line. In recent years, to upgrade rail lines for bullet train service, Caltrains required two years of night and weekend construction, during which time my neighborhood was significantly impacted by noise and night lighting. That was such a piddling project compared to what you propose, i.e. to build a four-track right of way, with grade separation, for future CHSR, Caltrain, and freight train service, without interrupting present Caltrain and freight train service during construction. I179-1

(1) Sudden-onset and repeated noise and vibration: The proposed grade separation between CSHR and existing Caltrains and freight trains demands that CSHR trains run above or below grade. The existing Caltrain track atop a berm or retained fill in San Carlos demonstrates the substantial increase in propagation distance of train noise on elevated track. The proposed CSHR peninsula speed of 125 mph will approximately double the noise and vibration compared to present Caltrains maximum speeds of 79 mph. Not only are there a large number of homes along the right-of-way, but there are dozens of schools, hundreds of businesses, and important medical facilities that will likely be adversely affected. I request that CSHRA study this issue carefully to determine if CSHR trains can travel either above or below grade at 125 mph with an acceptable level of impact on the San Francisco peninsula communities. I179-2

(2) Divisive Impact of Elevated CSHR Tracks on Community Cohesiveness: The proposed CSHR solution for reducing construction costs by building an elevated track will obviously adversely affect each community's cohesiveness. That is what wall-like structures inevitably do. The obvious solution is to place the CSHR tracks below grade. I request that the cost to accomplish this be seriously studied along with ways for CSHRA to pay these costs. This environmental impact should be mitigated at CSHRA cost or avoided if the cost is unacceptable. I179-3

(3) Width of CSHR Construction Zone: It may be possible for the final right-of-way for the CSHR, Caltrain and freight train tracks to be of manageable width, i.e. to fit it within the existing (or slightly enlarged) Caltrain right-of-way alongside existing I179-4

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Comment Letter I179 - Continued

housing, businesses and roads without destroying the existing communities. But first, the two-tiered structure must be constructed. There will be years of dust and noise for our communities. The point I wish to focus on here is that excavation, fill, and construction of structures, will all require large equipment and the land area to store and operate them. Additional land area will be required to temporarily store excavated earth and/or earth for fill. More additional land will be required for maintaining Caltrain and freight train service during construction by using "shoofly" tracks. I request that you undertake a serious planning study on how much land will be needed all along the proposed right-of-way. I expect that for the proposed construction period CSHRA will not be able to "borrow" that land but will be obliged to purchase it. I expect that you will not be allowed to use "eminent domain" to take just the rear ten to one hundred foot strip of my property and leave my life in a shambles. I expect that when the legal battles are over, you will be facing the purchase of all property adjoining the planned right-of-way. Therefore I also request that you undertake a serious planning study of the real cost of acquiring an adequate right-of-way and construction zone through some of the most expensive real estate in the state. It does not matter that you failed to take that into account in your original project cost estimates. But you had best do it before you actually begin the project. The people of California deserve a well-thought out and economically viable project, not a railroad rammed down our throats, which we then have to bail out of cost over-runs.

I179-4 cont.

As a solution to my concerns, I would like to propose that CHSRA consider running the CHSR trains between San Jose and Los Angeles, and using the existing Caltrains bullet service to link San Francisco to San Jose. An enormous construction expense could be avoided. The additional travel time of about 15 minutes is insignificant, as would be the small inconvenience of changing trains in San Jose.

I179-5

Sincerely yours,

Dr. Hugh MacMillan
2101 Park Blvd.
Palo Alto, CA 94306
Email: <machugh@gmail.com>

Cc: CA State Senator Joe Simitian
Palo Alto Mayor Patrick Burt
Palo Alto Council Member Larry Klein

2

Response to Letter I179 (Dr. Hugh MacMillan, April 19, 2010)

I179-1

See Response to Comment 1052-5 regarding construction.

I179-2

See Standard Response 3.

More detailed information and analysis of nosie and vibration impacts and mitigation will be included in project-level EIR/EISs.

I179-3

See Response to Comment 1017-4.

I179-4

See Response to Comment 1052-5 regarding construction.

I179-5

The Authority notes that the Draft and Final Program EIRs did evaluate alternatives that would terminate in San Jose and not travel up the Peninsula on the Caltrain Corridor. These alternatives included Altamont Pass Network Alternative with Oakland and San Jose Termini; Altamont Pass with San Jose Terminus; Altamont Pass with San Jose, Oakland and San Francisco via Transbay Tube; Pacheco Pass with Oakland San Jose Termini; Pacheco Pass with San Jose Terminus; Pacheco Pass with San Jose, Oakland, and San Francisco via Transbay Tube; Pacheco Pass with Altamont Pass (local service) with Oakland and San Jose Termini; and Pacheco Pass with Altamont pass (local service) with San Jose Terminus.

The Authority will make a new decision on a network alternative to carry into the project level environmental document. The alternatives that avoid the Caltrain corridor are not the staff recommended network alternative, but will be considered by the Authority as part of the new decision. Public comments supporting terminating HST service in San Jose will be part of the record that the Board considers.

Comment Letter I180 (Richard H. Rosensweig, April 26, 2010)

I180

Kris Livingston

From: Rosensweig, Richard [Richard.Rosensweig@morganstanleysmithbarney.com]
Sent: Monday, April 26, 2010 1:10 PM
To: HSR Comments
Subject: Draft EIR for High Speed Rail

Dear Sirs:

My name is Richard Rosensweig, a Menlo Park resident, and I strongly urge you to NOT bring the HSR line thru my neighborhood. I180-1

I **DO NOT support the HSR plan** for the following reasons:

1. The numbers regarding **ridership** seem bogus at worst and wildly optimistic at best. I180-2

2. The cost benefit analysis does not consider the **true costs** which appear to be understated. I180-3

3. Alternative routes such as the **Altamont Pass** have not been given full consideration . I180-4
Environmental impacts are significantly greater coming up the Peninsula.

4. **Full costs** of coming up the Peninsula do not appear to include lawsuits which will be never ending as well as the costs for eminent domain. I180-5
Taking property along a very expensive route will cost much more than has been "budgeted" for. (I saw only average costs for all of California identified.)

5. EIR does not adequately address how much (money/land) will be needed for right of way (ROW). I180-6

6. Although **tunneling** has not been excluded, I am concerned that **a "narrow" cost/benefit analysis** would indicate that it is cheaper than other approaches.
As an economist, I know a more **"comprehensive" cost/benefit analysis** would take into account the benefits of the land use above the tunnel, including public parks, trails for biking, hiking, etc. as well as limiting the amount of disruption and displacement of businesses and residences along the ROW. I realize the HSRA wants to find the cheapest way to proceed, but that is not always the most self evident. I180-7

7. It is clear that tunneling would be preferable in many areas to above ground **if** the Pacheco Pass route is picked, but not clear how the Authority would evaluate it.
Clearly, the environmental impact could be minimized by tunneling.

8. **The impact on property values are already being felt negatively**. Realtors have documented the dramatic drop in property values in the Park Forest area of Menlo Park already. Not incidentally, the figures take into account the drop in values caused by the economic downturn we are currently going through and adjust for that. We are talking about **values that have dropped over and above that caused by the recession**. I180-8

9. **Caltrain** is on the verge of going bankrupt, and has indicated it plans to cut service to the bone, eliminating evening and weekend runs. The EIR does not factor in any impact if Caltrain is not part of the picture. I180-9

10. If one were to look at where else the billions of dollars HSR will consume could be better used to improve our transportation systems, clearly keeping Caltrain going would be money much better spent. This assumes that the funds for any transportation improvements aren't better used for health care, education, or other areas where budgets are being slashed. I180-9 cont.

11. The EIR does not address the Union Pacific or the Caltrain / Joint Powers Board ability or inability to coordinate, authorize or otherwise commit to actions for the HSRA. I180-10

12. In public meetings, it has been clear that the overwhelming preference for the people on the Peninsula is
A. **Pull the plug** on the project altogether as a poorly managed, overly expensive boondoggle sucking up money that is vitally needed elsewhere;
B. if A not possible, re-route the HSR over the **Altamont Pass**;
C. if B not possible, to **stop the HSR at San Jose** and continue to San Francisco on an (improved) Caltrain.
But the Authority claims that the proposition funding the bonds requires a HSR link to SF. Given the BILLIONS of dollars that could save, it would be worthwhile to challenge that claim which seems specious with a fallback position if upheld, to seek a change in the law, if necessary. I180-11
D. If C not possible, to **tunnel** through the mid-peninsula sections most severely affected.

In conclusion, I have tried to identify items that are not specific to my personal situation. These are not "nimby" issues but more macro economic.

However, in addition to the above, I do have some "nimby" concerns.
I live close enough to the Caltrain that noise, vibration, property values, aesthetics, impact on my daily life are quite relevant. Based on the Draft EIR, I don't think you have thought this through enough. I expect that my access to Stonepine Lane and Forest Lane will become restricted, construction will be ongoing for years, followed by the perpetual train activity if this actually gets funded and built.

Cc. Joe Simitian
Ira Ruskin
Anna Eshoo

Richard H. Rosensweig
Vice President
Financial Advisor
Morgan Stanley Smith Barney
245 Lytton Avenue, Suite 200
Palo Alto, CA 94301
direct 650/838-4210 fax 650/328-8095
toll free 800/755-8081

richard.rosensweig@mssb.com

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2

Response to Letter I180 (Richard H. Rosensweig, April 26, 2010)

I180-1

Comment acknowledged.

I180-2

Ridership forecasts are not a topic identified by the Superior Court for additional work to comply with CEQA. We do not agree that the ridership forecasts are overstated. See Standard Response 4.

I180-3

See Response to Comment I011-13.

I180-4

Please see Standard Response 10.

I180-5

See Response to Comment I011-13.

I180-6

See Response to Comment I011-13.

I180-7

Cost is just one of many factors the Authority considers in the selection of a preferred alternative. The project-level environmental clearance process will evaluate each alternative based on a comprehensive list of factors including cost. A preferred alternative will be selected and it may not necessarily be the least expensive. See Chapters 4 and 5 of the 2008 Final Program EIR and the 2010 Revised Draft Program EIR Material, respectively for a discussion of the cost.

I180-8

See Standard Response 6 regarding property values.

I180-9

See Response to Comment I006-10.

I180-10

We disagree with the comment. The 2008 Final Program EIR described commuter rail service on the Caltrain Corridor in Chapter 2 and discussed the Caltrain Corridor in responses to comments. The 2010 Revised Draft Program EIR Material provided more information about the relationship between the PCJPB and UPRR along the Caltrain Corridor, including UPRR 's rights under its Trackage Rights Agreement.

I180-11

The Authority disagrees with the commenter's statement. See Standard Response 10.

Comment Letter I181 (Robert Roth, April 26, 2010)

I181

Mr. Dan Leavitt
CA High Speed Rail Authority
925 L Street, Suite 1425
Sacramento, CA 95814

Comments Re: Bay Area to Central Valley Revised Draft Program EIR

Dear Sir:

Planned capital costs for the HSR Project should include tunneling through the Bay Area Peninsula. The visual impact of an elevated rail road track with a sound wall and power lines above the the sound wall would be unacceptable to the long term value of property and livability for residents in Palo Alto and near-by communities. I181-1

This is a once in a 50 to100 year investment and an elevated railway or depressed trench would degrade our beautiful community. It is worth spending more to provide park land and promenades above the current Caltrain right of way.

Sincerely,

Robert Roth
2015 Middlefield Road
Palo Alto, CA 94301

Response to Letter I181 (Robert Roth, April 26, 2010)

I181-1

Comments acknowledged. See Standard Response 10 regarding vertical profile alternatives.

Comment Letter I182 (Keith Pelczarski, April 26, 2010)

I182

Kris Livingston

From: Keith Pelczarski [keithp@gmail.com]
Sent: Monday, April 26, 2010 11:52 PM
To: HSR Comments; plandiv.info@cityofpaloalto.org; info@carrdnet.org
Subject: EIR Comment on CAHSR, from the desk of Keith Pelczarski

I have a request for California High Speed Rail: Please do a good job on the new train.

My house is adjacent to the track in Palo Alto close to Peers Park and I'm concerned about how California High Speed Rail (CAHSR) will change things here in my backyard.

One big concern is the sense of the unknown about the whole thing. How will the neighborhood change? How much construction noise will there be? How much noise will the trains really make? What about privacy? Will these changes hurt my property value? What about eminent domain, would that come into play on my property? If so, would I get fair value for property lost? I don't know the answers to these questions, but I can certainly imagine some worrisome possibilities. I182-1

Please do a good job on the new train.

I would like to ask that whoever is designing/approving the solution consider how they would want it to be if they were the ones living right next to it. As one of those folks living right next to it, I have a few thoughts on the concept video that shows the alternatives (http://www.cahighspeedrail.ca.gov/gallery.asp?s=alma-street):

1. **Tunneling**
   The most appealing option, especially if the right of way above it were developed into a nice bike/pedestrian path, with art and landscaping and whatnot. If the trains could be out-of-sight/out-of-mind, that would be excellent. I182-2
2. **Open trench**
   Seems better than having something looming over my house, but not quite as appealing as the tunnel. Some concern about sound, but imagine that it could be mitigated with trees or a wall or something. I'm not clear on exactly how wide the trench would be, but if it were too wide I'd have the question about eminent domain and what would happen to my property line/garage/etc. I182-3
3. **Structure**
   This is worrisome, with the train going by at the height of my bedroom. Feels like a huge blow to privacy. I'd wonder about what might become of the space underneath. Will it be haven for troublemakers/transients/etc.? If this option did come to pass, would there really be the bike path, art, landscaping, and whatnot that are shown on the concept video. Would they really have as many lights as the video shows? Still hard for me to get over having the train run at the height of my bedroom window. That's a HUGE potential impact that I don't think could be fixed with a screen of trees (not enough space), and a wall in the space at that height would be a towering monolith no better than the undesirable retained fill option. On this one I also have the question about eminent domain and what would happen to my property line/garage/etc. I182-4
4. **Retained fill**
   As I understand it, this is no longer under consideration in Palo Alto, which makes me relieved. Didn't like the thought of a big wall going through the middle of the city, especially not when it brings the train up to my bedroom window. My concerns expressed in my comment on structure would also apply here, except for the one about what would go on underneath it, obviously. I182-5

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I am supportive of the work that CARRD (http://www.calhsr.com/) has been doing to engage and educate people. Please work with them to make sure that concerned citizens continue to have a voice in the development of this project and that things are done in an intelligent, respectful way. I182-6

Please do a good job on the new train.

Thank you.

Sincerely,

Keith Pelczarski
2011 Park Blvd
Palo Alto, CA 94306

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Response to Letter I182 (Keith Pelczarski, April 26, 2010)

I182-1

Comment acknowledged. The 2008 Final Program EIR identified that the HST project would result in significant impacts to the physical environment. The 21 network alternatives studied in the EIR each involve adverse environmental impacts, along with substantial project benefits. The EIR identified mitigation strategies to address the adverse impacts to the greatest extent feasible. In addition, the EIR discloses that regardless of alternative selected, significant adverse environmental impacts are anticipated, though the scale and location of these impacts may differ between alternatives.

Additional site-specific analysis of community character, noise, and other impacts will be conducted for the project-level EIR/EISs.

See also Standard Response 6 regarding project impaccts on residential property values.

I182-2

Comments acknowledged.

I182-3

Comments acknowledged.

I182-4

See Response to Comment I182-1.

dditional site-specific analysis of visual impacts will be conducted for the project-level EIR/EISs.

I182-5

The Authority Board committed in July 2008 to investigate profile alternatives to avoid and minimize potential impacts, including trench, tunnel, aerial, and at-grade. Although the Authority has rescinded its July 2008 program decision, the commitment to examine profile alternatives has been carried forward into the project level alternatives screening. Greater detail about tunnel and trench options being considered in preliminary alternatives screening for project-level environmental documents can be found on the Authority's website.

I182-6

Support for the work of CARRD acknowledged.

Comment Letter I183 (Robert and Stephanie Martinson, April 11, 2010)

I183

Kris Livingston

From: Robert and Stephanie Martinson [srmartinson@comcast.net]
Sent: Sunday, April 11, 2010 7:45 PM
To: HSR Comments
Subject: Bay Area to Central Valley Revised Draft Program EIR Material Comments

4123 Park Blvd.
Palo Alto, CA 94306

April 11, 2010

Mr. Dan Leavitt, Executive Director
California High-Speed Rail Authority
925 L Street, Suite 1425
Sacramento, CA 95814

RE: Bay Area to Central Valley Revised Draft Program EIR Material Comments

Dear Mr. Leavitt,

I am keenly aware of the potential negative effects of the High-Speed Rail (HSR) project on my South Palo Alto community. The impacts to the community ambiance and the associated costs need to be mitigated and carefully weighed against the potential benefits. However, as a stakeholder, with a home adjacent to the Caltrain corridor, I feel much more vulnerable to these impacts. I183-1

My quality of life may be significantly reduced as a result of the HSR project. My property is located between Meadow and Charleston Avenues, and I use both railroad crossings approximately ten times during the weekdays. Presently, during the commute hours, the Charleston/Alma intersection has a five to ten-minute wait at the train intersection when travelling from west to east. How will the HSRA mitigate the assumed extended delays during construction and once the project is completed? The increase in congestion as a result of the project is significant, because of the necessity of crossing the tracks to grocery shop and transport my children to school. I183-2

In addition to the negative impacts relative to cost, congestion, displacing the way students are transported to and from school, I believe the HSRA has a responsibility to design the High Speed Rail with adequate responses to the following quality-of-life issues: I183-3

1. What mitigation measures are the HSRA going to address to California citizens relative to chronic medical circumstances such as heart conditions, respiratory disorders, anxiety, seizure disorders, and others? I have a chronic medical condition, hypertrophic cardiomyopathy (HCM), and was inadvertently shocked by my defribulator 26 times after a lead to my heart malfunctioned. Subsequent of this experience, I have been diagnosed with post traumatic stress disorder (PTSD) resulting in involuntary tremors and involuntary auditory startle responses (e.g. heart rate increases), as well as depression, sleep disturbances, reduced attention, memory difficulties, and fatigue. The HSRA must mitigate my auditory startle responses to both consistent and inconsistent rapid onset noise pollution associated with the HSR construction and future use. Research has shown that noise-induced psychogenic tremors are associated with post-traumatic stress disorders, which persist long after the offending stimulus is no longer present (See Appendix A). I183-4

   I am not alone by speaking up for the multiple thousands of individuals with a chronic medication condition, given that the prevalence of heart disease is estimated at approx. 1 in 12 or 22 million adults in the US 2000 (Centers for Disease Control and Prevention) and that the prevalence of anxiety disorders is estimated at 16.4% of adults (based on USSF) or 19.1 million American adults (NIMH). Given these prevalence numbers, there are definitely other stakeholders like myself who have a chronic medical condition which may be adversely impacted by this project. How will the HSR Authority mitigate the associated involuntary tremors and involuntary auditory startle responses of the citizens of California who live within ¼ mile radius from a) the construction sites and b) entrance/exit points of a tunnel relative to increased noise projections? With regard to the specific entrance/exit points associated with a tunnel, the HSR authority must mitigate for inconsistent randomized noise level which may result in increased medical distress. How will the HSR project obtain lower dB levels at entrance/exit points of a tunnel when the tunnel is located within a populated area like south Palo Alto or Mountain View as well as in Southern California?

2. How is the High Speed Rail Authority going to predict, evaluate, monitor, and mitigate post-injury quality of life (QOL) secondary to noise induced cognitive problems (such as attention deficits, learning difficulties for children, sleep patterns, and anxiety) associated with community members who already have an established mental health issue such as myself with Post Traumatic Stress Disorders (PTSD) and/or children with chronic medical condition which live ¼ mile within the construction site. I183-4 cont.

3. Given that the research is showing an association between PTSD and heart rate variability how will the HSR authority mitigate for other community members within ¼ mile from the HSR with other chronic medical conditions which may become exacerbated by stress, such as Parkinson's or Seizure Disorders? (See Appendix B).

4. I am requesting that the HSR Authority give the stakeholders information about High-speed noise on cardiovascular reactivity relative to young, middle age and older adults based on sound levels all possible train levels (Berm, Arerial Viaduct, At Grade, and Open vs. Covered Trench) for Heart rate response (HRR), heart response amplitude (HRA), heart response latency (HRL) and finger pulse response (FPR), finger pulse amplitude (FPA) and finger pulse latency (FPL) prior to initiating construction? (See Appendix C)

Relative to the above issues, questions, and concerns, how will the HSR determine whether adjacent home will receive extra insulation and/or additional reinforcement for the train's vibration. I183-5

Thank you in advance for your response to the above issues, questions, and concerns.

Stephanie Martinson, CCC-SLP

4123 Park Blvd.

Palo Alto, CA 94306

Cc: City of Palo Alto Planning and Transportation Commission, Joe Simitian, Congresswoman Anna Eshoo

Appendix A:

Mov Disord. 1992 Oct;7(4):333-8.

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2

Comment Letter I183 - Continued

Noise-induced psychogenic tremor associated with post-traumatic stress disorder.

Walters AS, Hening WA.

Department of Neurology, UMDNJ-Robert Wood Johnson Medical School, New Brunswick 08903-0019.

Tremors in post-traumatic stress disorders have not been previously well characterized. A 67-year-old man has a 46-year history of a noise-induced exaggerated startle reflex followed by a large amplitude rest, postural and kinetic tremor that may persist for up to 3 days. This tremor is superimposed on a continuous mild organic postural/kinetic tremor whose electrophysiological characteristics are different from those of the overlying tremor. We attribute the exaggerated startle reflex and the noise-induced tremor to Post-Traumatic Stress Disorder (PTSD) and postulate a psychogenic origin for the noise-induced tremor. The patient also believes the noise-induced tremor to be psychologically based and to be produced by the fear and anxiety he experiences when he hears loud, unexpected noises. The sudden onset of the noise-induced tremor, its intermittent character, its temporary disappearance on distraction despite the patient's inability to suppress it, inconsistencies in handwriting and figure drawing, and the fact that the noise-induced tremor is stimulus specific and persists long after the offending stimulus (noise) is no longer present all suggest a tremor of psychogenic origin.

Ann Behav Med. 2010 Feb 20. [Epub ahead of print]

Posttraumatic Stress Disorder, Cardiovascular, and Metabolic Disease: A Review of the Evidence.

Dedert EA, Calhoun PS, Watkins LL, Sherwood A, Beckham JC.

VA Research Service, Department of Psychiatry and Behavioral Sciences, Durham Veterans Affairs and Duke University Medical Centers, Durham, NC, USA, eric.dedert@duke.edu.

BACKGROUND: Posttraumatic stress disorder (PTSD) is a significant risk factor for cardiovascular and metabolic disease. PURPOSE: The purpose of the current review is to evaluate the evidence suggesting that PTSD increases cardiovascular and metabolic risk factors, and to identify possible biomarkers and psychosocial characteristics and behavioral variables that are associated with these outcomes. METHODS: A systematic literature search in the period of 2002-2009 for PTSD, cardiovascular disease, and metabolic disease was conducted. RESULTS: The literature search yielded 78 studies on PTSD and cardiovascular/metabolic disease and biomarkers. CONCLUSIONS: Although the available literature suggests an association of PTSD with cardiovascular disease and biomarkers, further research must consider potential confounds, incorporate longitudinal designs, and conduct careful PTSD assessments in diverse samples to address gaps in the research literature. Research on metabolic disease and biomarkers suggests an association with PTSD, but has not progressed as far as the cardiovascular research.

World Psychiatry. 2010 Feb;9(1):3-10.

Apendix B:

The long-term costs of traumatic stress: intertwined physical and psychological consequences.

McFarlane AC.

Centre for Military and Veterans' Health, University of Adelaide, Level 2/122 Frome Street, Adelaide, South Australia, 5000 Australia.

The gradual emergence of symptoms following exposure to traumatic events has presented a major conceptual challenge to psychiatry. The mechanism that causes the progressive escalation of symptoms with the passage of time leading to delayed onset post-traumatic stress disorder (PTSD) involves the process of sensitization and kindling. The development of traumatic memories at the time of stress exposure represents a major vulnerability through repeated environmental triggering of the increasing dysregulation of an individual's neurobiology. An increasing body of evidence demonstrates how the increased allostatic load associated with PTSD is associated with a significant body of physical morbidity in the form of chronic musculoskeletal pain, hypertension, hyperlipidaemia, obesity and cardiovascular disease. This increasing body of literature suggests that the effects of traumatic stress need to be considered as a major environmental challenge that places individual's physical and psychological health equally at risk. This broader perspective has important implications for developing treatments that address the underlying dysregulation of cortical arousal and neurohormonal abnormalities following exposure to traumatic stress.

Brain. 2005 Apr;128(Pt 4):700-10. Epub 2005 Feb 23.

Cortical triggers in generalized reflex seizures and epilepsies.

Ferlazzo E, Zifkin BG, Andermann E, Andermann F.

Department of Neurology and Neurosurgery, Epilepsy Clinic, Montreal Neurological Hospital and Institute, Montreal, Quebec, Canada.

Activation of specific cortical territories by sensory stimuli or of less restricted areas of the brain by cognitive stimuli is known to induce apparently generalized seizures in predisposed patients; this is clinically and electroencephalographically distinct from reflex triggering of partial seizures. Photosensitive patients may have seizures when exposed to environmental stimuli producing appropriate flickering light or geometric patterns. Some children with benign myoclonic epilepsy in infancy have seizures triggered by unexpected touch or noise. Seizures induced by thinking have been reported in response to non-verbal higher mental activity such as mental arithmetic. Praxis-induced seizures are triggered by similar mental activities accompanied by the use of the hands. Language-induced seizures are usually triggered by verbal higher mental activity. Functional imaging and other methods have contributed to understanding how these seizures arise. Patients with these generalized reflex seizures appear to have regions of cortical hyperexcitability overlapping or coinciding with areas physiologically activated during specific sensory stimulations and cognitive or motor activities. When these areas receive appropriate afferent volleys and a critical mass of cortex is activated, an epileptic activity is produced that ultimately involves cortico-reticular or cortico-cortical pathways resulting in a generalized or bilateral epileptic event.

Sleep. 2010 Jan 1;33(1):113-22.

Changes in cardiac variability after REM sleep deprivation in recurrent nightmares.

Nielsen T, Paquette T, Solomonova E, Lara-Carrasco J, Colombo R, Lanfranchi P.

Comment Letter I183 - Continued

Sleep Research Center, Hôpital du Sacré-Coeur de Montréal, Québec, Canada. tore.nielsen@umontreal.ca

STUDY OBJECTIVES: To assess whether dysfunctional autonomic regulation during REM sleep as indexed by heart rate variability (HRV) is a pathophysiological factor in frequent nightmares (NMs). DESIGN: Monitoring with polysomnography (PSG) and electrocardiography (ECG) for 3 consecutive nights: Night 1 (N1), adaptation night; N2, administration of partial REM sleep deprivation; N3, recovery night. Differences between NM and control (CTL) groups assessed for ECG measures drawn from wakefulness, REM sleep, and Stage 2 sleep on both N1 and N3. SETTING: Hospital-based sleep laboratory. PARTICIPANTS: Sixteen subjects with frequent NMs (> or = 1 NM/week; mean age = 26.1 +/- 8.7 years) but no other medical or psychiatric disorders and 11 healthy comparison subjects (< 1 NM/month; mean age = 27.1+/- 5.6 years). RESULTS: NM and CTL groups differed on 2 REM sleep measures only on N1; the NM group had longer REM latencies and REM/NREM cycle durations than did the CTL group. No differences were found on time domain and absolute frequency domain ECG measures for either N1 or N3. However, altered HRV for the NM group was suggested by significantly higher LFnu, lower HFnu, and higher LF/HF ratio than for the CTL group. CONCLUSIONS: Results are consistent with a higher than normal sympathetic drive among NM subjects which is unmasked by high REM sleep propensity. Results also support a growing literature linking anxiety disorders of several types (panic disorder, posttraumatic stress disorder (PTSD), generalized anxiety disorder) to altered HR variability.

Clin Geriatr Med. 2010 Feb;26(1):45-56.

Healthy brain aging: what has sleep got to do with it?

Malhotra RK, Desai AK.

SLUCare Sleep Disorders Center, 3545 Lafayette Avenue, St Louis, MO 63104, USA. rmalhot1@slu.edu <rmalhot1@slu.edu>

Sleep plays an important role in learning, memory encoding, and cognition. Insufficient quantity or quality of sleep leads not only to short-term neurocognitive dysfunction but also to permanent changes to the central nervous system. Sleep disorders are common in the geriatric population. The hypoxemia and sleep fragmentation resulting from obstructive sleep apnea are the most likely pathophysiology responsible for damage to the brain.

Appendix C:

Eur J Appl Physiol. 2010 Mar;108(4):671-80. Epub 2009 Nov 10.

Cardiovascular responses to railway noise during sleep in young and middle-aged adults.

Tassi P, Saremi M, Schimchowitsch S, Eschenlauer A, Rohmer O, Muzet A.

Laboratoire de Psychologie des Cognitions, Université de Strasbourg, 12 rue Goethe, 67000, Strasbourg, France.

Patricia.tassi@unistra.fr

The aim of this study was to investigate the effects of nocturnal railway noise on cardiovascular reactivity in young (25.8 +/- 2.6 years) and middle-aged (52.2 +/- 2.5 years) adults during sleep. Thirty-eight subjects slept three nights in the laboratory at 1-week interval. They were exposed to 48 randomized pass-bys of Freight, Passenger and Automotive trains either at an 8-h equivalent sound level of 40 dBA (Moderate) and 50 dBA (High) or at a silent Control night. Heart rate response (HRR), heart response amplitude (HRA), heart response latency (HRL) and finger pulse response (FPR), finger pulse amplitude (FPA) and finger pulse latency (FPL) were recorded to measure cardiovascular reactivity after each noise onset and for time-matched pseudo-noises in the control condition. Results show that Freight trains produced the highest cardiac response (increased HRR, HRA and HRL) compared to Passenger and Automotive. But the vascular response was similar whatever the type of train. Juniors exhibited an increased HRR and HRA as compared to seniors, but there was no age difference on vasoconstriction, except a shorter FPL in seniors. Noise level produced dose-dependent effects on all the cardiovascular indices. Sleep stage at noise occurrence was ineffective for cardiac response, but FPA was reduced when noise occurred during REM sleep. In conclusion, our study is in favor of an important impact of nocturnal railway noise on the cardiovascular system of sleeping subjects. In the limit of the samples studied, Freight trains are the most harmful, probably more because of their special length (duration) than because of their speed (rise time).

Response to Letter I183 (Robert and Stephanie Martinson, April 11, 2010)

I183-1

Comment acknowledged. The 2008 Final Program EIR identified that the HST project would result in significant impacts to the physical environment. The 21 network alternatives studied in the EIR each involve adverse environmental impacts, along with substantial project benefits. The EIR identified mitigation strategies to address the adverse impacts to the greatest extent feasible. In addition, the EIR discloses that regardless of alternative selected, significant adverse environmental impacts are anticipated, though the scale and location of these impacts may differ between alternatives.

Additional site-specific analysis of community character and other impacts will be conducted for the project-level EIR/EISs.

I183-2

Effect of vehicle trips resulting from project construction and Changes in traffic volumes on regional roadways that result from addition of these trips will be evaluated at the project-level. Effects of the change in vehicular volume on traffic operations of roadways and intersections will also be evaluated.

I183-3

As noted in Chapter 3.7, Land Use, in the 2008 Final Program EIR, the project would construct grade separations where none previously existing thereby improving circulation between neighborhood areas and schools, businesses and other destinations. There is the potential for temporary circulation impacts to occur during construction. Specific locations and the scale of construction impacts will be further examined in detail at the project level because they are a product of the HST system design, and the detail necessary to identify the presence of the impact, the level of significance, and mitigation can only be done at the project level. Also as noted in Chapter 3.7 of the Final Program EIR, mitigations strategies such as a traffic management plan would be prepared to reduce circulation and barrier effects during construction.

I183-4

Increased annoyance likely to occur for train noise events with rapid onset rates known as startle will also be assessed at the project-level when more detailed design and location information will be available for the selected HST alignment. Locations where the onset rate for HST operations may cause surprise will be identified. Any noise-sensitive land use within that distance would be identified as a candidate for increased annoyance. Mitigation measures will also be considered at these locations as part of the project-level EIR/EIS. In adition, the tunnel cross sections will be designed (per established engineering criteria) to provide sufficient cross-sectional area to avoid potential aerodynamic effects at the tunnel portals caused by trains operating at maximum speed. See Standard Responses 5 and 6.

I183-5

More detailed information and analysis of nosie and vibration impacts and mitigation will be included in project-level EIR/EISs. The project-level vibration analysis will consider impacts to both typical structures and to structures that may be more susceptible to vibration. Appropriate mitigation, if necessary, can be incorporated into the project design to buffer vibration at the source. See Standard Responses 3 and 5.

Comment Letter I184 (Bob Moss, April 26, 2010)

I184

Kris Livingston

From: Bob Moss [bmoss33@att.net]
Sent: Monday, April 26, 2010 4:22 PM
To: HSR Comments
Subject: Bay Area to Central Valley Revised Draft Program EIR Material Comments

Dan Leavitt
California High-Speed Rail Authority
925 L Street, Suite 1425
Sacramento, CA 95814

This is a re-sending of my recent message with comments on the draft EIR that did not have the full address to Dan Leavitt and the complete subject line.

Comments on Bay Area to Central Valley Revised Draft Program EIR Material April 26, 2010

The Draft EIR for the portion of the proposed High Speed Rail Project from the Central Valley to the Bay Area, particularly that portion from San Jose to San Francisco, is inaccurate, incomplete, and inadequate. It requires a many corrections, revisions and additions. There are a number of problems and issues that have been identified by others and were submitted by them for review and action. I will try to address issues that may not have been covered elsewhere. I184-1

The Palo Alto City Council, Mayor, and staff and the councils and staff or other cities along the proposed route repeatedly asked the High Speed Rail Authority for data on the existing and required right of way for the rail lines through their cities. Despite assurances that the information identifying the widths of the right of way and locations where it now is adequate or inadequate would be provided, after more than 6 months there has been no reply and this data has been withheld. That is both inappropriate and a clear violation of CEQA, since it is impossible to evaluate impacts such as distances between existing homes, businesses, and the new rail lines, potential noise and view impacts due to proximity between buildings and rail, and which and how many properties may have to be acquired in order to accommodate the high speed rail system. Withholding this information also is an inexcusable slap at local governments and the residents of every city and town along the proposed rail lines between San Francisco and San Jose. I184-2

It is apparent that hundreds, if not over a thousand properties along the route will be directly impacted by the several of the proposed alternative track alignments. Where adjacent properties must be acquired to fit in tracks at grade, or to fit 2 tracks at grade and 2 tracks either above or below grade there will be significant costs above those cited by the CHSRA as the costs of construction. For example, in Palo Alto, the 4th most expensive housing market in the U.S., average home prices are almost $1.8 million. Condemning 25 homes to allow the right of way to be widened will cost at least $45 million, plus millions more for lost values of nearby properties.

In order to have comparable cost data for all alternatives, the existing right of way must be clearly identified for the full length of the route between San Jose and San Francisco. Any properties that may be needed either by full or partial acquisition to accommodate the proposed alignment must be fully identified. Adjacent properties that may not be taken but are close to acquired properties must be identified also and the direct and indirect impacts fully reported. For example, it is very likely that any alignment in north Palo Alto other than a tunnel will require acquisition of at least 25 and perhaps 30 single family homes. If those homes are taken, the homes on the other side of the street where the taken homes now exist also will be directly impacted by noise, degraded views, vibration, and adverse transformation of the neighborhood. Both the cost of acquiring property I184-3

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and the loss of property values of nearby properties are true expenses that must be included in the various cost figures. Loss of properties and reduction in values of nearby properties will adversely impact property taxes for schools, cities, and counties. These lost property taxes also are expenses and CHSRA must fully compensate governments for those losses. I184-3 cont.

During construction there will be adverse impacts from noise, dirt, dust, possible expulsion of toxics in soils, traffic, and impaired access. These costs also must be included when comparing different options. For example, tunneling is always given as more expensive, but it has the lowest adverse impact and cost for nearby properties. It also is least disruptive and lest likely to reduce property values both during construction and afterwards Total costs of each option must include construction cost impacts on neighbors and those near the project so that comparative costs are considered more accurately. I184-4

It has been reported that some construction options will require removal of 2 lanes of Alma and Central Expressway, reducing these major streets from 4 lanes to 2 lanes. This will have huge adverse impacts on traffic and congestion not only on Alma and Central Expressway but also on nearby streets such as El Camino, Middlefield, and a number of residential streets that will be forced to absorb spillover traffic caused by reductions of lanes on Alma and Central Expressway. I184-5

Grade separations are inadequately addressed. For example, if the alignment selected is at grade there must be overpasses or underpasses to allow existing streets that now cross the railroad tracks to cross the new track system. If underpasses are selected it must be demonstrated that they will not penetrate the aquifer, or require regular pumping or dewatering. The underpass at Page Mill and Alma require almost constant pumping and will fill with water if pumping is stopped for more than 20 or 25 hours. Would other underpasses along the proposed route be safe from flooding or would they need constant de-watering? If dewatering is required it must be paid for by CHSRA. If overpasses are selected, how will that impact properties along of Alma and Central Expressway? Will some buildings at intersections need to be removed to accommodate overpasses? If so which ones and how many? What will the cost of acquisition of those properties be? Those costs also must be added to the estimates for cost of those alternatives. I184-6

Calculations for tunneling did not include offsetting benefits such as releasing many acres of land now used for the railroad tracks for other potential uses. Where the existing right-of-way exceeds 100 feet that property could be developed for housing, businesses, or offices with the value of the land for new uses offsetting some of the costs of tunneling. I184-7

The EIR omits any discussion of the high probability that any option other than a tunnel will probably kill El Palo Alto, listed as California Historic Resource #2. No acknowledgement is given of the iconic nature of El Palo Alto and the need to preserve and protect it, not destroy it with the high speed rail alignment. This must be addressed with an underground tunnel to preserve El Palo Alto included as a preferred option regardless of cost. I184-8

A number of people urged that an option that stops the HSR trains in San Jose is both feasible and a major cost reduction. Passengers going beyond San Jose could transfer to CalTrain and ride up to San Francisco for a limited fare. Train speeds would be over 100 mph, more than adequate to meet the requirement for high speed rail. Arguments that Measure 1A requires high speed rail trains directly between San Jose and San Francisco are incorrect. It did not prohibit changing trains between San Jose and San Francisco or require speeds over 150 mph for that segment as long as the intent is met. Reconsider stopping the HSR train at San Jose and transferring any who want to go farther to transfer to an electrified CalTrain capable of speeds up to 150 mph. I184-9

The Palo Alto City Council has identified more than 90 errors, omissions, and inadequacies in the EIR and replies to past comments and objections to the EIR. Other cities have identified many more problems, errors, omissions, and inadequacies in CHSRA documents and proposals. They all must be addressed and resolved satisfactorily before the project may begin. I184-10

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Comment Letter I184 - Continued

Yours very sincerely,

Bob Moss
4010 Orme St.,
Palo Alto, CA 94306

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Response to Letter I184 (Bob Moss, April 26, 2010)

I184-1

This comment is introductory in nature. See specific responses below.

I184-2

Comment acknowledged. The commenter appears to be referring to a request for information by the City of Palo for information being developed as part of preliminary, project-level alternatives screening. Information being developed for purposes of project-level environmental review will be made publicly available consistent with the Authority's obligations under the California Public Records Act. Detailed, project-level information is not necessary for purposes of the current programmatic environmental analysis.

I184-3

See Standard Response 2 regarding the tiered EIR process and Standard Response 3 regarding the level of detail for impacts analysis and mitigation in the program-level EIR. Detailed analysis at the project-level EIR/EIS will evaluate impacts to specific properties. Feasible mitigation measures will also be discussed at the project-level.

I184-4

See Response to Comment 1052-5 regarding construction.

I184-5

See Response to Comment 1052-5 regarding construction.

I184-6

See Standard Response 2 regarding the tiered EIR process and Standard Response 3 regarding the level of detail for impacts analysis and mitigation in the program-level EIR. Detailed analysis of the impacts of grade separations will be included in the project-level EIR/EIS. Feasible mitigation measures will also be discussed at the project-level.

I184-7

See Response to Comment I011-13.

I184-8

El Palo Alto, the old Palo Alto tree, has lived next to the railway since 1863, with the current double-track configuration in place since 1904. The HST tracks depicted in the 2008 Final Program EIR run to the west of the existing tracks, further from El Palo Alto than the existing tracks. As the tree is a historic site, analysis will be undertaken in the project-level EIR/EIS to determine the design and mitigation to make sure the tree is not damaged by the HST.

I184-9

The commenter states that the HST should consider terminate in San Jose. The Authority notes that the Draft and Final Program EIRs did evaluate alternatives that would terminate in San Jose and not travel up the Peninsula on the Caltrain Corridor. These alternatives included Altamont Pass Network Alternative with Oakland and San Jose Termini; Altamont Pass with San Jose Terminus; Altamont Pass with San Jose, Oakland and San Francisco via Transbay Tube; Pacheco Pass with Oakland San Jose Termini; Pacheco Pass with San Jose Terminus; Pacheco Pass with San Jose, Oakland, and San Francisco via Transbay Tube; Pacheco Pass with Altamont Pass (local service) with Oakland and San Jose Termini; and Pacheco Pass with Altamont pass (local service) with San Jose Terminus.

The Authority will make a new decision on a network alternative to carry into the project level environmental document. The alternatives that avoid the Caltrain corridor are not the staff recommended network alternative, but will be considered by the Authority as part of the new decision. Public comments supporting terminating HST service in San Jose will be part of the record that the Board considers.

I184-10

As requred by CEQA, written responses have been provided or are being provided for all comments received during public comment periods for the 2008 program EIR and the 2010 Revised Draft Program EIR Material.

Comment Letter I185 (Sharon Small, April 26, 2010)

I185

Kris Livingston

From: Sharon Small [shsmall@gmail.com]
Sent: Monday, April 26, 2010 4:59 PM
To: HSR Comments
Cc: Plandiv.info@cityofpaloalto.org
Subject: SAN FRANCISCO TO SAN JOSE PROJECT EIR/EIS DRAFT MATERIAL COMMENTS

The proposed high speed train will increase noise and vibration for the students of Palo Alto High School, the residents of Southgate neighborhood in Palo Alto, and the people visiting Peers Park. From the north end of Palo Alto High School to the south end of Peers Park, the EIR should analyze the noise levels and vibration impact that will be produced by the proposed high speed train at various speeds. The EIR should analyze at what distance from the tracks the noise will be audible and the vibration impact felt in this area. And finally, the EIR should analyze and quantify the effect of alternative structures - viaduct, trench, and tunnel - on transmission of noise and vibration. A demonstration on the tracks at several locations should be done to obtain these facts. The EIR should ascertain noise levels and vibration impact caused by the alternatives under consideration for Palo Alto High School, Southgate neighborhood, and Peers Park. I185-1

Paraphrasing a model comment mentioned by CARRD, this project will increase traffic during construction at the corner of Churchill and Alma, in the vicinity of Palo Alto High School which already has traffic problems. The EIR should analyze the project's impact on traffic circulation and safety at this intersection, especially regarding school children near this site.

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Response to Letter I185 (Sharon Small, April 26, 2010)

I185-1

See Standard Response 3.

More detailed impact analyses will be conducted as part of the project-level EIR/EISs for the alternatives carried forward, once engineering and design has progressed to a point that will allow this level of evaluation. More detailed information and analysis of nosie, vibration, traffic, and safety impacts and mitigation will be included in project-level EIR/EISs.

Comment Letter I186 (Lisa Steinback, April 25, 2010)

I186

Kris Livingston

From: lsteinback@mindspring.com
Sent: Sunday, April 25, 2010 9:57 PM
To: HSR Comments
Subject: Bay Area to Central Valley HST Revised Draft Program EIR Material Comments

April 25, 2010

To: Dan Leavitt, Deputy Director
California High Speed Rail Authority
925 L Street, Suite 1425
Sacramento, CA 95814

From: Lisa Steinback
299 Creekside Dr.
Palo Alto, CA 94306

Re: Bay Area to Central Valley HST Revised Draft Program EIR Material Comments

Dear Mr. Leavitt,

I live in the Greenmeadow neighborhood in south Palo Alto, just north of San Antonio Rd, and south of Charleston Rd. Greenmeadow is a development of 270 Eichler homes and has been added to the National Registry of Historic Neighborhoods. Greenmeadow sits along Alma, very near the Caltrain corridor. These one-story Eichler homes were built over 55 years ago and utilize many floor-to-ceiling windows on all sides of each house. Architect Joseph Eichler never designed these homes with the understanding that a raised HST would be running at 120 mph, 100 feet away. With all these glass windows, it is imperative that the HST meet the CIty of Palo Alto's General Plan (GP) Policies N-39, N-40, N-41 and N-42, which indicate that the maximum outdoor noise level in residential area not exceed an Ldn of 60 dB. GP Policy N-40 reads: "Evaluate the potential for noise pollution and ways to reduce noise impacts when reviewing development and activities in Palo Alto and surrounding communities." GP Policy N-41 indicates that "When a proposed project is subject to CEQA, the noise impact on existing residential land uses should be evaluated in terms of the increase in existing noise levels..., regardless of existing background noise levels" and specifies that a significant impact is found if the increase in the 24-hour noise level (Ldn) increases by 5.0 dB or more in an exisitng residential area if the Ldn remains below 60 dB, or 3.0 dB if the resultant Ldn exceeds 60 dB. Policy N-42 notes that measures to reduce noise impacts should be required, and outlines a number of possible, though not exclusive, means to do so. I186-1

The City of Palo Alto has adopted the following maximum exterior noise limits for land use compatibility: Acceptable is up to 60 CNEL dB; Conditionally acceptable from 60 CNEL dB to 75 CNEL dB, and Unacceptable from 75 CNEL dB or more.

With all of the large glass windows in Greenmeadow's historic Eichler neighborhood, construction of the HST could produce significant negative noise and vibration effects. The HST project must evaluate the noise and vibration effects and mitigate them. The HST project must mitigate to "less than significant" the vibration associated with each construction method, as well as permanent vibration increase from the rail operations. The HST project must analyze the noise and vibration impacts to Greenmeadow Eichler homes resulting from an increase in train traffic on the adjacent tracks. I186-1 cont.

The HST project must analyze the impact to real property values in neighborhoods like Greenmeadow that reside near the tracks due to more frequent rail traffic and increased noise, visual impacts, and vibration levels from changes in the vertical track alignment and number of tracks. The CHSRA should consider feasible alternatives that would reduce any impacts, such as construction of a tunnel through the entire south Palo Alto area. I186-2

One alternative being looked at by the CHSRA is to remove the overpass at San Antonio Rd. and replace it with a ground-level traffic light. This would be an unacceptable implementation of HST because the overpass is crucial to the accommodation of traffic heading to the largest shopping mall in the area, San Antonio Shopping Center. With no overpass, there will be huge traffic snarls at the Alma/San Antonio intersection. There is no way the CHSRA has done the proper traffic analysis in order to add this to their list of alternatives. It is simply not a viable alternative. The HST project must retain the San Antonio overpass. I live right near this intersection and drive it at all times of the day every day. I186-3

Thank you for the opportunity to comment on the Bay Area to Central Valley HST Revised Draft Program EIR.
Sincerely,
Lisa Steinback

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Response to Letter I186 (Lisa Steinback, April 25, 2010)

I186-1

More detailed information and analysis of nosie and vibration impacts and mitigation will be included in project-level EIR/EISs. The project-level vibration analysis will consider impacts to both typical structures and to structures that may be more susceptible to vibration. Appropriate mitigation, if necessary, can be incorporated into the project design to buffer vibration at the source. See Standard Responses 3 and 5.

I186-2

See Standard Response 6 regarding property values.

I186-3

The Authority appreciates the comment. As noted in Chapter 2 of the 2008 Final Program EIR, the HST rail corridor will be fully grade separated. Determination and evaluation of potential impacts to the possible modifications to the existing San Antonio Avenue Overpass would occur during the project level environmental and engineering process. The Authority will consider the comment as part of the project-level EIR/EIS processes.

Comment Letter I187 (Nancy Shepherd, April 25, 2010)

I187

Kris Livingston

From: Nancy Shepherd [nlshep@pacbell.net]
Sent: Sunday, April 25, 2010 11:54 PM
To: HSR Comments
Subject: Program EIR Comment

Dear HSR Authority,

I am concerned about three subjects of impact that HSR will have going through Palo Alto and the Peninsula Corridor:

1) Sound and vibration. I live a little over 500 feet from the CalTrain tracks in the Southgate neighborhood in Palo Alto. I understand that the trains will be on routes with about 10 trains passing through our neighborhood in each direction on the hour by 2030. Please measure the increased sound and vibrations that this frequency will generate. I am used to hearing two trains an hour during the day and the HST added to the CalTrain and freight train schedules will increase this substantially. This frequency of constant trains will mean that there will be constant noise—something that I do not want for my neighborhood and community. I187-1
2) At grade or above grade: I do not want to see the HST elevated or at grade going through Palo Alto. This will increase the urbanization of Palo Alto into a densification that our city cannot support. It will divide our city permanently into two distinct sections. I187-2
3) Ridership: I do not want to see the ridership for HSR travel to be made up, these figures must be reviewed and validated. If HSR ridership cannot support a viable business plan then the amount of money this state will need to barrow could bankrupt the state. I also do not want our local commute train schedule to be negatively impacted by HSR. We need our commute service. I187-3

Thank you,

Nancy Shepherd
1556 Madrono Avenue
Palo Alto, CA 94306
650 326-6452

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Response to Letter I187 (Nancy Shepherd, April 25, 2010)

I187-1

See Standard Response 3.

More detailed information and analysis of nosie and vibration impacts and mitigation will be included in project-level EIR/EISs.

I187-2

Palo Alto has developed around the railway, and the existing pattern of development is split because of the railway. HST would not change the existing pattern of development. Grade separations would eliminate the delays encountered by people crossing the railway.

Densification and further urbanization is controlled by the city, which approves building projects that would replace existing buildings with larger or taller ones. The HST project would not alter the city's jurisdiction over project approval.

I187-3

Ridership forecasts are not a topic identified by the Superior Court for additional work to comply with CEQA. The ridership forecasts were not "made up" but were the product of a multi-year model development effort that incorporated a peer review at three separate stages. See Standard Response 4. The comment about not negatively impacting local commute train schedules is acknowledged.

Comment Letter I188 (James and Christina Stauffer, April 16, 2010)

I188

Kris Livingston

From: Jim Stauffer [j.f.stauffer@gmail.com] on behalf of James Stauffer [jstauffer@alumni.brown.edu]
Sent: Friday, April 16, 2010 10:57 AM
To: HSR Comments
Cc: James Stauffer
Subject: San Francisco peninsula route

To the California High Speed Rail Authority:

We wish to stress our total opposition to the intended routing of high-speed rail through the cities between San Francisco and San Jose, and especially to the ground-level and above-ground implementations that you are considering.

If you proceed with the above, you will devastate the quality of life for many hundreds living in the affected cities and greatly reduce the value of homeowners' investment in their homes (which in many cases represent the major part of their life savings). I188-1

The legitimate role of HSR is to connect distant metropolitan areas -- not to connect stations within such areas.

Sincerely,
James F. Stauffer
Christina C. Stauffer
Palo Alto

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Response to Letter I188 (James and Christina Stauffer, April 16, 2010)

I188-1

Comment acknowledged. The HST from San Francisco to Los Angeles does connect distant metropolitan areas.

Comment Letter I189 (John Lovewell, April 26, 2010)

I189

Kris Livingston

From: John Lovewell [lovewellcompany@yahoo.com]
Sent: Monday, April 26, 2010 3:36 PM
To: HSR Comments
Subject: Comments on High Speed Rail
Attachments: High Speed Rail 4-26-10.doc; Schroeder HSR Letter.doc

From: John Lovewell <lovewellcompany@yahoo.com>
Subject: Comments on High Speed Rail
To: comment@hsr.ca.gov
Date: Monday, April 26, 2010, 3:33 PM

April 26, 2010

Mr. Dan Leavitt
California High-Speed Rail Authority
925 L Street, Suite 1425
Sacramento, CA 95814

RE: Comments on Bay Area to Central Valley Revised Draft Program EIR (sent via email to comment@hsr.ca.gov and via facsimile transmission to 916-322-0827 on Monday 26 APR 2010)

Dear Mr. Leavitt,

I am writing to second all of the comments expressed to you by Mr. Bill Schroeder in his letter of April 25, 2010 (an original of this letter and a copy of Mr. Schroeder's letter are attached). I189-1

Anxiety and stress may not be environmental impacts under CEQUA, but believe me this project is already hurting folks in very real ways, and creating enormous angst in the process.

Notwithstanding the current recession, Mr. Schroeder observes property values near the train lines have been affected much more than other similar nearby neighborhoods away from the trains. Many of us who've lived here for 20 years or longer are now held hostage by the specter and uncertainty of this project. We've raised our families and might have moved or down-sized, but the drop in property values has made selling impractical or, at the very least, prohibitively expensive. The HSR project is seriously eroding the value of the most important retirement investment for many of us. I189-2

As California citizens, we are also frightened by the $50 billion price tag of this project some are predicting, at a time when our state can ill afford it. Whether financed by bonds or taxes or federal money, it seems the height of lunacy and denial to launch a project of this nature with the fiscal challenges our state and federal government faces today. Given what we now know about this project, and the rising tide of concern in California about the fiscal "train wreck", I seriously doubt the HSR bond measure would pass if on the ballot today. I189-3

Sincerely,

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John Lovewell

John B. Lovewell
The Lovewell Company
700 Emerson Street
Palo Alto, CA 94301
Phone 650-614-6247
Fax 650-328-7394
www.lovewellcompany.com

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Response to Letter I189 (John Lovewell, April 26, 2010)

I189-1

See Standard Response 6 regarding stress.

I189-2

See Standard Response 6 regarding property values.

I189-3

The Authority disagrees with the comment.

Comment Letter I190 (Alice Schaffer Smith, April 3, 2010)

I190

Kris Livingston

From: Alice Smith [asmith36@sbcglobal.net]
Sent: Saturday, April 03, 2010 12:18 PM
To: HSR Comments
Cc: City Council; info@CAlhsr.com
Subject: EIR for High Speed Rail: Stop Look and Listen please. comments from a member of the public

These comments focus on areas of risks supplemental to my overall comment that high speed rail down an urban corridor abutting local homes with gardens is an anathema to good planning: I190-1

(1) High speed railroad (HS-RR) being built less than 20 miles from two major active earthquake faults is economic waste. The Hayward fault and the San Andreas fault are predicted to have force 8 events along the fault within 20 years. This will without question bring down major transportation links and take years to rebuild. Thus, if you are counting on any form of revenue without interruption once the HS-RR is completed, you will not achieve that objective. I190-2

(2) The water table in the bay area is very close to the surface. The pilings and trenches, howsoever dug, will cause huge displacements of water, some areas of which are marshlands or close to marshlands. Has this cost been recognized and risks understood? I190-3

(3) Alma (Central Expressway) will be disrupted for 4-6 years. The numbers of cars along this urban beltway per day are in the hundreds of thousands. Where will that traffic go? I190-4

(4) The aforesaid routes are major arteries to the Stanford Industrial Park, and Mt. View areas. Your economic justification does not discuss the impact on the existing businesses arising from the impact of the building phase. I190-5

(5) There are not fewer than 10 schools along the Charleston/East Meadow corridors. The cross overs will be closed for a long period whilst construction takes place. How do parents get through this corridor or the children who bike between home and school? I190-6

(6) I live less than a mile from the RR crossing at Charleston and Alma; every night I hear the trains thunder by. What will that sound be like with whistles when pitched 30 or more feet above the ground? Sound travels and these sounds will have no hindrances. The noise will deafen the nearby residents and make their homes valueless. Given the median price of possibily $1,500,000 per home affected, have you factored the cost of procuring the some 2000 homes made valueless by the noise arising from HS RR development and subsequent implementation?. I190-7

(7) What compensation do you plan for all the musicians, homes for the aged, infant schools, elementary and junior high schools within 500 yards of the proposed HS-RR that will not be able to continue functioning during the building phase (equipment blasting into the subsurface, pile drivers setting up steel rods, etc etc. for up to 6 years?). Is that calculated into the budget for this HS-RR? I190-8

(8) Cal-Trains announced that it is not able to continue full service on the railroad for commuters because it has not been profitable enough to run a full service. Instead of cutting back on what is absolutely environmentally sound use of resources on the San Jose to San Francisco corridor, why not put the money into reducing the fares so that more people use that railroad and expand that railroad from Tracy to San Jose, Morgan Hill and Santa Cruz to San Francisco. I190-9

1

(9) Why not look at using high speed boats from Los Angeles to San Francisco : hydrofoils which can do the trip at a fraction of the cost and much safer and could start immediately. I190-10

(10) Why not use the existing Amtrak Lines and terminate in Oakland, and just incorporate Oakland into San Francisco. Thus you would comply with the obligation to have LA to SF but just not end up in SF that you know today. Oakland will mean that HS-RR can go directly to Sacramento without interruption because you split just near the Pacheco Pass and one line goes to Sacramento (and then on to Portland OR) and the other into Oakland/SF. With Bart right at Oakland, you have access to all of the bay area without impacting local neighborhoods. Bart spur would take people to San Jose. I190-11

Thus you would have a HS Railroad running through farmland and industrial areas and not impacting thousands of homes in a valley already impacted by traffic and noise.

Yours faithfully,

Alice Schaffer Smith
4284 Los Palos Circle
Palo Alto, CA 94306

650 493 3554
asmith36@sbcglobal.net

2

Response to Letter I190 (Alice Schaffer Smith, April 3, 2010)

I190-1

This comment is introductory in nature. See specific responses below.

I190-2

Please see Response to Comment L003–87.

I190-3

The 2010 Revised Draft Program EIR Material addresses those topics identified in the final judgment for the Town of Atherton litigation as requiring corrective work under CEQA. Hydrology and water resources was not one of those topics. Please see Chapter 3.14 of the 2008 Final Program EIR. Potential impacts from shallow groundwater as well as mitigation strategies was discussed in this chapter. More detailed analyses related to groundwater impacts and potenial impacts on nearby marshlands will be performed during the project-level EIR/EIS analysis when more detailed design and location information will be available. See Standard Response 3.

I190-4

See Response to Comment 1052-5 regarding construction.

I190-5

See Response to Comment 1052-5 regarding construction.

I190-6

See Response to Comment 1052-5 regarding construction.

I190-7

More detailed information and analysis of nosie impacts and mitigation will be included in project-level EIR/EISs. The HST system will need to be completely grade separated on the peninsula corridor, eliminating both the train horn noise and the bell noise from the grade-crossing protection devices. See also Standard Responses 3, 5, and 6.

I190-8

See Response to Comment I152-11.

I190-9

Comment acknowledged. Given the Authority's mandate and the stated purpose of Proposition 1A, the Authority is not in a position to apply High Speed rail funds to reduce fares on commuter rail or expand these rail lines.

I190-10

Hydrofoils, catamarans or any other type of ocean-going vessel traveling from San Francisco to Los Angeles would require about a 430 mile voyage, from within San Francisco Bay to Long Beach. The fastest vessels can travel at about 90mph. This would lead to about a five-hour one way trip. New terminal would need to be built, with intermodal connections and significant amounts of parking. While a terminal on the San Francisco waterfront would be well-located for travelers, a maritime terminal in LA would not. The size of the terminals would have significant impacts on their surroundings, especially in San Francisco. Sea-based transport would not serve the South Bay, Central Valley or Sacramento, Palmdale area, San Fernando Valley, Inland Empire or I-15 corridor. It would not come close to meeting any of the goals of the HST system as described in the Program EIR.

I190-11

Comment acknowledged. Municipal mergers are beyond the scope of the project definition.

Comment Letter I191 (Hinda G. Sack, April 24, 2010)

I191

Kris Livingston

From: hindas2@gmail.com
Sent: Saturday, April 24, 2010 12:16 PM
To: HSR Comments
Subject: slight revision
Attachments: second copy of comments@hsr.ca.gov.html

Attached: second copy of comments@hsr.ca.gov

Message from hindas2@gmail.com:
This is a second version. Some edits but most of all are revision in Section E: Eminent Domain and Reverse Condemnation. Please acknowledge receipt.

Hinda G. Sack, Ph.D.
Google Docs makes it easy to create, store and share online documents, spreadsheets and presentations.

1

These are the comments I submitted to the CHSRA. These are (most of) my concerns. As a resident of Charleston Meadows, I stand to be severely impacted by the proposed HSR/Caltrain "upgrades". While my property does not back up onto the tracks, I do live on Park Blvd. Right now, the train is not visible from my front windows. I have a pleasant view of my neighbors' homes across the street and a stand of mature trees behind them that shields the view of the train. I191-1

comments@hsr.ca.gov

General Comments on the revised program EIR: California High Speed Rail

The CHSRA's program EIR has stated that among other alternatives, an elevated structure may be used to bring the HSR running along the San Francisco to San Jose Caltrain corridor. I am requesting that the CHSRA provide the following as part of the environmental impact of such a structure. I expect that the CHSRA will back up all its claims about environmental impacts with hard data. As the CHSRA has stated, there are other HSR systems in the world.

From the comments below, you may infer that my primary intention is to understand the variables that the CHSRA has considered in creating its program EIR. I am requesting that the CHSRA provide the public with the data to understand its analysis. The CHSRA has not provided a sufficient level of detail to allow for an adequate evaluation of its assessments of environmental impact. **I want the CHSRA to share its research, assumptions, and details of its decision matrices with community based consultants. This will provide data for an informed discussion of EIR assessments by the CHSRA. I expect CHSRA will present us with real data collected from impact studies, not just the CHSRA's subjective assessment that a particular feature of the project will have minimal impact. This tendency on the part of CHSRA remains one of the more startling and unsettling components of the program documents.** I191-2

What are the core values that drove it's choice of corridor, alignment alternatives, equipment features, impact assessments and mitigating measures? Each choice represents a trade off among construction and operational efficiencies, costs and environmental impacts. For the public to be able to work collaboratively with the CHSRA and Caltrain, we must know the values assigned to the various trade offs.

Because the elevated/aerial alternative for bringing high speed rail through Palo Alto is likely to pose the most severe environmental from the standpoints of visual and noise pollution I am requesting that the CHSRA make its highest priority the investigation of the feasibility of all alternate solutions to an elevated system. These include, in order of priority: 1) tunneling, 2) trenching, 3) cut and cover, 4) at grade. I191-3

All EIRs must include the severity of environmental impacts along the right of way from the center of the railway to at least 500 feet on each side, or further if the context (vibration and noise studies) demands. I191-4

A) Visual Impacts
I want the CHSRA to examine **the environmental impact of the visual clutter of an elevated or at grade electrified system with catenary in neighborhoods of one story dwellings.** Some of these neighborhoods have historical status. I would expect that the evaluation of such impact to include realistic mock-ups of both vertical alignments including catenary and trains with pantographs. I191-5

Comment Letter I191 - Continued

As a psychologist, I am familiar with research demonstrating that post operative hospital patients with pastoral views heal faster and need less pain medicine than patients with views of urban clutter. http://www.emagazine.com/view/?3863.

Other evidence has shown that viewing natural settings and walking in parklike settings, have positive health benefits in non patient populations. "At least 13 non-clinical studies attest to the health benefits of viewing nature, most of which are also described in a recent review by the Health Council of The Netherlands. Nine of these studies consist of well-controlled experiments with strong designs (Ulrich, 1979; Ulrich et al., 1991;25 Hartig et al., 1996, Study 12; Parsons et al., 1998; Fredrickson & Levenson, 1998; Lauman et al., 2003; Van den Berg, Koole & Van der Wulp, 2003; Fredrickson & Branigan, in press, Study 1 &Study 2)".
(www.agnesvandenberg.nl/healingenvironments.pdf pgs. 25-26)

I have chosen to live in the suburbs because my sense of well being is greater surrounded by natural views. MY neighborhood is full of single story homes with lawns, bushes and trees. Any aerial or elevated structure, will replace natural views with man-made structures. Any widening of the right of way will require the destruction of the trees which currently screen the view of the tracks. Even an at grade solution with pantograph and catenary will introduce man made visual clutter and require trimming or removal of many trees. I chose to buy a home in this area because of the park and the greenery. The closeness to the Caltrain right of way was/is mitigated for me by the greenery. The development of the HSR threatens that mitigation. I191-5 cont.

In order to mitigate increased noise pollution and to reduce unwarranted access to the right of way, a soundwall has been proposed. Once again this would substitute a man made structure for the more soothing natural screen that we now have.

A crucial mitigation for the visual clutter imposed upon the communities by either an electrified at grade railway with catenary or an elevated/arial/electrified railway along the Caltrain right of way should be a **significant investment in replacing the natural screening landscaping. You have not specified the type of landscaping you intend to plant. It should ideally provide a screen to hide the train from surrounding homes and roadways.** This means planting fast growing trees of upright habit that are already substantial in size, and drought tolerant bushes. How many feet apart will you be planting trees? What size will they be at the time of planting (please specify container size)? Who will pay the costs of increased water consumption that these new plantings will require? Please identify the source funding allocated to maintain the landscaping in a well-groomed and healthy state. **I request that the level of visual environmental impact be evaluated by an advisory board made up of representatives of the affected communities.**

B) Noise:
CHSRA has not cited scientifically designed studies on the effects of noise that will be generated along the corridor. The communities affected need to be able to evaluate the environmental impact of an at grade or elevated train traveling at 120+ mph combined with freight, baby bullets from Caltrain and Caltrain local trains. I would like the CHSRA to present its data on the experience of people living near such tracks. Such data should include the experience of the environmental impact at different distances from the train as well as the effect of a sound wall. The CHSRA needs to make explicit how it evaluates **studies relevant to the impact of such noise on different age groups and different activities of daily life. There is reason to assume that the effects of noise is greater in the young, developing brain and in the elderly.** I191-6
http://www.nonoise.org/library/smj/smj.htm

How does the CHSRA propose to protect those more vulnerable from the cognitive and emotional effects of increased exposure to noise generated by the High Speed trains in combination with Caltrain and UP? Infants and young children as well as the elderly often nap during the day, or

sleep at times that may have peak train frequencies.

"Research shows that interruption of deep sleep has a dramatic effect on the body's metabolism and the conversion of sugar into energy, heightening the risk of diabetes."
http://www.globalaging.org/health/world/2008/sleep.htm

The Report on the second meeting on night noise guidelines (Geneva, Switzerland, 6- 7 December 2004)issued the following summary of groups at risk for having their sleep disturbed by noise.
"1. sensitive subjects (anxious and with neurotic tendencies);
2. children (because the growth hormone is segregated during SWS sleep and the REM sleep is crucial for memory);
3. women during pregnancy and perimenopausal period
4. shift workers
5. elderly people (their sleep is more superficial)
6. patients at intensive care units,
7. low-birth weight infant units,
8. and residents and disabled persons in nursing homes I191-6 cont.

The report cites the effects of sleep disruption in children induced by noise:
Short term Behavioral: Daytime fatigue, decreased performance and concentration, memory difficulties, difficult behavior, increased motility.
Mortality: Increased risk - (Sudden Infant Death syndrome?)
Long term Behavioral:Difficulty in modulating impulses and emotions; poor performance at school, fatigue, memory difficulties, concentration problems; impaired wellbeing and motivation: increased risk of accidents; increased motility
Psychiatric: Depression, anxiety conditions; aggressive and delinquent behaviour; attention-deficit/hyperactivity disorder; alcohol, smoking, caffeine and other substance abuse (?)
Medical: Increased heartrate, increases in sleep disorders (parasomnia); changes in blood pressure, changes in carbohydrate metabolism, changes in immune system (?)
www.**euro.who.int**/Document/NOH/2nd_NNGL.pdf

The report makes a strong case for adherence to WHO guidelines on recommended decibel limits. According to the report, WHO may also provide consultation.
(http://www.ruidos.org/Noise/WHO_Noise_guidelines_3.html)

Please specify what mitigations to daytime and nighttime noise levels will be made. What funds will be allocated to assist residents directly impacted by the increase noise levels and the increased accumulated noise load? Residents may need to add sound abating materials to their homes and replace windows and/or install air conditioning if the external noise level makes it unhealthy to sleep with open windows.

C) Maintenance:
I want the CHSRA to conduct or make available scientifically designed studies to determine the amount of debris/dust and other particulate matter (grease, oil) generated along the route as trains pass at high speeds through the neighborhood. The issue of pollution and maintenance is not adequately addressed in the document.

I want the CHSRA to identify the source of funds for maintaining the right of way, deodorizing and cleaning litter that will inevitably accumulate in underpasses and for removing graffitti from concrete surfaces. **I would like the CHSRA to clarify how affected communities might interact with CHSRA to determine maintenance standards. As rolling stock and infrastructure ages costs of maintenance will inevitably increase. Please specify how the CHSRA has calculated the cost of maintenance over the next ten, twenty and fifty years** I191-7

Comment Letter I191 - Continued

given the predicted rate of obsolescence of rolling stock and infrastructure. I191-7 cont.

D) Vibrations:
There are potentially two sources of vibrations. The first is from the construction phase and the second from the operational phase. Studies of vibrations emitted by each construction alternative and its corresponding operational vibrations have not taken into account the specific effects on eichler homes along the route. These homes with radient heat flooring and large floor to ceiling windows may have unique vulnerabilities. I want the CHSRA to provide data for us to evaluate the degree to which vibrations will emanate from the passing trains into the adjacent soil and homes. These data will be different with different vertical alignments and soil conditions. The vibration emitting events will be frequent by most technical definitions, thus more likely to be annoying. Please specify the CHSRA estimates of the VdB at varying distances from the center of the railway (up to 500 feet)* and indicate how you arrived at those estimates. (www.fra.dot.gov/downloads/RRDev/final_nv.pdf) I191-8

*Currently, I can feel the freight trains as they pass along the tracks which are almost 200 feet from my home. At times I've been startled by the vibration since it sometimes feels like a preamble to an earthquake. The sharing of the right of way among Caltrain, HSR and UP may force the UP to operate during night time hours only. With up to 5 freights per night, sensitive receptors, people sleeping in their homes, may have their sleep affected multiple times per night. Please cite the health effects of such sleep interruptions and how they might be mitigated.

E) Eminent Domain and Reverse Condemnation

The CHSRA has not detailed its procedure for eminent domain. Nor has it identified all properties that would be subject to eminent domain under its various vertical alignment strategies.

I request that homes be valued prior to the election in Nov. of 2008. The impact of the HSR on value of property can be measured by assessing the changes in value of properties in similar neighborhoods that do not abut the right of way. If other properties have gone down 5%, for example, since November of 2008, but the homes near the right of way have gone down 15%, we can assign the greater dip in value to the effect of the impending construction of the HSR. I want the CHSRA to appeal to the county to lower property taxes for those owners whose properties lose value. I191-9

Some homeowners in the affected areas have applied Prop 60 or Prop 90 in the purchase of their homes. I want the CHSRA to set aside funds, or move to **create legislation, as part of its powers of eminent domain to extend a one time exception to the one time rule for those homeowners who must sell because they cannot tolerate the environmental impact of the HSR structure.** I want the decision to sell and relocate under this one time exception to be left up to the affected homeowner. I want the CHSRA to make its intentions relative to this item explicit. Furthermore, since prop 60/90 only applies when a new home is less expensive than the one being sold, **I want the legislation to allow owners to value their property based on it's purchase price, or the estimated value prior to the passage**
I want the CHSRA to specify how much money will be set aside for reimbursement of property owners whose **property suffers damage over time from the environmental impact of the railway.**

I want the CHSRA to specify how it will **reimburse property owners who are temporarily dislocated due to the disruptive effects of the construction.** How will you help homeowners whose well being dictates that they move from their impacted residences and the noise, dirt, interruption of traffic flow, etc of the prolonged construction? How will dislocated residents be able to access funds to help them relocate temporarily? Will such homeowners receive respite from

paying property taxes on homes they cannot inhabit? Will the CHSRA pay the property taxes on these temporarily uninhabitable homes? Will displaced homeowners be eligible for a tax deduction for the cost of maintaining a second residence?

I want the CHSRA to reply to the issues raised in this section. I have raised these issues before and there has been no response.

Below please note an additional comment on this topic. I191-9 cont.
After learning about prop 58, I now request that anyone needing to relocate because of HSR should have an exception, similar to Prop 60/90. This exception should apply regardless of age, regardless of whether or not they have previously used their Prop 60/90 provisions, and regardless of whether they received their property via Prop 58. The use of this exception should not count against any future usage of Prop 58 or Prop 60/90.

F) Security

One of the goals of CHSRA is to attract passengers away from cars and planes by providing safe and speedy transit. However, the CHSRA does not address issues of security on the trains and along the railway. I want CHSRA to describe anticipated security procedures such as passenger screening, track monitoring, onboard security monitoring. **It is a folly to assume that no security screening or monitoring will be needed along the miles of railway. I want the CHSRA to specify how much these measures will cost as part of the initial construction, and as part of ongoing operations. I want to know how much time security procedures will add to the trip for each passenger.** Currently airlines have required passengers to arrive 60-90 minutes earlier than departure time. What will be the requirement for railway travelers? I191-10

G) Cost estimates
The CHSRA has cited the relative costs of the various vertical alignments of the railway from San Francisco to San Jose. It is difficult if not impossible to evaluate the estimated costs of construction when we do not have better estimates of the costs of eminent domain posed by some alternatives vs the opportunity costs of reclaimed land afforded by others. Numbers are needed. I191-11

H) Consultants and Contractors
I believe that the affected and interested communities must have access to the credentials of all consultants hired by the authority and a list of their previous collaborations with members of the CHSRA and Caltrain. **I request that no consultants or firms hired during the project document phase be employed during the construction phase.** This would eliminate the appearance of bias from the expert consultants who might otherwise be seen as recommending construction alternatives that they are then hired to execute. I191-12

I) Environmental Justice
As I understand it, this term is used assess whether low income and minority populations are over represented among those the directly and indirectly impacted, by a project. I assume that this is because, historically, these groups have been more vulnerable and have not had the resources that might allow them to change their circumstances should the proposed project create environmental conditions that prove intolerable to them. With reference to the present project, the population of those who are both vulnerable and without resources to relocate and remain in some proximity to their community will be very high. When a high percentage of one's life's savings is invested in one's home, as is typical along the SF-SJ corridor, there are few options to relocate when one's home loses value. **Make no mistake, residential property values will plunge and any alternate residence further from the railway, will become relatively more expensive for those in highly impacted neighborhoods. The elderly and the young family with one wage earner will be particularly affected.** What has the CHSRA provided for these vulnerable populations under provision of Environmental Justice? I191-13

Comment Letter I191 - Continued

J)Transparency of Communication and Information Sharing
The public relations effort by the HSR/CHSRA has been characterized as taking in lots of information from the public over a series of meetings and workshops but giving back very little information. Because of this, there is no way to know what information coming from the public has been understood, internalized, misunderstood, or laughed off.
I am requesting that the CHSRA provide the public with the data to understand the basis for the design features it sets out in the project level document. Each of these features will have its own environmental impacts. Each choice will represent trade offs among construction and operational efficiencies, costs and environmental impacts. **For the public to be able to work collaboratively with the CHSRA and Caltrain, we must know the values assigned to the various trade offs.** I191-14

I am concerned that in today's constricted financial environment, cost will be the most powerful value guiding design features. We will be living with CHSRA's decisons for the rest of our lives. **Cost must not be allowed to be the sole determination of what gets built. If we cannot build it right, we must not build it.** I191-15

Hinda G. Sack, Ph.D.
psychologist
4104 Park Blvd.
Palo Alto, CA 94306

Response to Letter I191 (Hinda G. Sack, April 24, 2010)

I191-1

Comment acknowledged. The May 2008 Final Program EIR identified impacts along the Caltrain corridor and identified mitigation strategies to address the impacts. The current Revised Draft Program EIR Material discloses a higher level of land use impacts than previously anticipated. The Authority will consider adopting mitigation strategies to address significant impacts on the natural environment, communities, and neighborhoods when it makes a new decision.

I191-2

See Standard Response 2 regarding the tiered EIR process and Standard Response 3 regarding the level of detail for impacts analysis and mitigation in the program-level EIR. All studies completed to date have been provided for public review as part of the EIR process.

I191-3

Comments acknowledged. See Standard Response 10 regarding vertical profile alternatives.

I191-4

As noted in Chapter 3.4 of the May 2008 Final Program EIR, varying study area widths were used for noise/vibration, depending on the expected speeds withing the segment. Where speeds are expected to be low, a study area of 100 feet on both sides of the alignment was used. For top-speed areas, the potential impact study area extended to 200 feet on both sides of the alignment. This methodology is consistent with screening criteria recommended by FRA, FHWA, and FTA. Detailed analysis at the project-level EIR/EIS will evaluate noise and vibration impacts. Feasible mitigation measures will also be discussed at the project-level.

I191-5

The 2008 Final Program EIR assumed that Caltrain and HST would remain within the existing right-of-way at most locations, meaning that trees outside the right-of-way would not be removed, although some trimming could be required for vegetation intruding on the right-of-way. If there is a need to acquire adjacent properties for locations where the current Caltrain right-of-way is not wide enough to accommodate the addition of HST, replacement landscaping could likely be established outside the area required for rail operations. This landscaping could replace that removed for the project. In locations where existing trees are located within Caltrain right-of-way, design and engineering to be undertaken as part of the project-level EIR/EIS will determine if they are located where they cause no interference with the future rail operations.

Discussion of the type, size and design of replacement landscaping can be undertaken as part of the project-level EIR/EIS. Additionally, photosimulations of more locations along the proposed project can be produced during the project level phase of analysis.

I191-6

More detailed information and analysis of nosie impacts and mitigation will be included in project-level EIR/EISs. See Standard Responses 3 and 5.

I191-7

See Standard Response 2 regarding the tiered EIR process and Standard Response 3 regarding the level of detail for impacts analysis and mitigation in the program-level EIR. Detailed analysis at the project-level EIR/EIS will evaluate air quality impacts resulting from all phases of the project construction and operation. Feasible mitigation measures will also be discussed at the project-level.

I191-8

As discussed in Response to Comment I191-6, the HST environmental document is a program-level document. More detailed information and analysis of vibration impacts and mitigation will be included in project-level EIR/EISs. The project-level vibration analysis will consider impacts to both typical structures and to structures that may be more susceptible to vibration. Appropriate mitigation, if necessary, can be incorporated into the project design to buffer vibration at the source.

I191-9

See Standard Response 7 regarding Eminent Domain.

I191-10

See Response to Comment I178-11.

I191-11

See Response to Comment I011-13.

I191-12

Comment acknowledged. The Authority will comply with all applicable laws and regulations in the bidding and hiring process for construction of the HST system.

I191-13

See Standard Responses 3 and 6.

I191-14

Comment acknowledged. Information on the project and environmental documents and other studies are provided at the Authority offices and on their website.

I191-15

No single metric determines viability of an alternative. All metrics are assessed to determine the optimal design.

Comment Letter I192 (Helen Stavropoulos Sandoval, April 26, 2010)

I192

Kris Livingston

From: Helen Sandoval [tigerpuppies@earthlink.net]
Sent: Monday, April 26, 2010 3:22 PM
To: HSR Comments
Cc: Senator.Simitian@senate.ca.gov; city.council@cityofpaloalto.org
Subject: Program Level EIR

1539 Mariposa Avenue
Palo Alto, CA 94306

26 April 2010

Dan Leavitt
California High-Speed Rail Authority925 L Street, Suite 1425Sacramento, CA 95814

RE: Comments on Bay Area to Central Valley Revised Draft Program EIR

Dear Mr. Leavitt and the High Speed Rail Authority:

This letter is to comment on the Draft Program Level Environmental Impact Report (EIR) prepared on the Authority's proposed routing of the system in the San Francisco Bay Area. The Authority's proposed project routing would extremely significant impacts on the San Francisco Peninsula. Profound impacts would be experienced by me, my family, my neighborhood, and by the natural environment. I can assure you that I am a genuine "expert" with respect to the impacts of the project you propose. I have lived adjacent to the CalTrain tracks since 1997 and have witnessed and been affected by routine work on the tracks, including the recent upgrade to the tracks. These impacts include, but are not limited to, noise and vibration impacts, view impacts, business impacts, impacts on trees and other vegetation, and increased public safety dangers. Many of the listed impacts could be eliminated, or vastly reduced, by choosing a completely different routing solution, especially a deep bore tunnel throughout Palo Alto and the Peninsula. I192-1

I believe the law requires the Authority to do a more thorough investigation of routing alternatives. You have dismissed without adequate analysis the use of existing right of ways along Highway 101 and Interstate 280. The law requires you to identify ways to eliminate or to mitigate the undeniable impacts of the project, and to do this to the greatest degree feasible.

I request you to revise the Draft EIR, and then recirculate a Revised Draft EIR for further review and comment by the public. The Revised Draft should study the following alternative route: I192-2

Altamont Alignment to Highway 101 corridor as being the least intrusive to surrounding cities and neighborhoods and the most economically feasible.

Thank you for taking my comments and concerns into account, as the California Environmental Quality Act requires.

1

Yours truly,

Helen Stavropoulos Sandoval

2

Response to Letter I192 (Helen Stavropoulos Sandoval, April 26, 2010)

I192-1

Comment acknowledged. The May 2008 Final Program EIR identified impacts along the Caltrain corridor and identified mitigation strategies to address the impacts. The current Revised Draft Program EIR Material discloses a higher level of land use impacts than previously anticipated. The Authority will consider adopting mitigation strategies to address significant impacts on the natural environment, communities, and neighborhoods when it makes a new decision.

Comment about being a neighborhood or local expert is acknowledged.

I192-2

The May 2008 Final Program EIR identified general mitigation strategies to avoid or minimize significant environmental impacts. Mitigation strategies are general methods of avoiding and minimizing impacts that can refined and tailored to project specific circumstances at the next tier of environmental review. The Authority will consider adopting these strategies when it makes a new program-level decision.

The Authority has revised and recirculated certain portions of the May 2008 Final Program EIR as the 2010 Revised Draft Program EIR Material. The purpose of the recirculated material is to comply with the final judgment of the Town of Atherton litigation. The Authority does not believe that additional revision and recirculation is necessary to fully comply with the court judgment and CEQA. See also Standard Response 10 regarding alternatives.

Comment Letter I193 (Virginia Vaughan Saldich, April 20, 2010)

I193

27 Crescent Drive
Palo Alto, California 94301
April 20, 2010

California High Speed Rail Authority
Attn: Dan Leavitt, Deputy Director
925 L Street, Suite 1425
Sacramento, CA 95814

Subject: High Speed Rail Bay Area to Central Valley Revised Draft Program-Level EIR Material Comments

Dear Mr. Leavitt:

Context

The Revised Draft Program-Level Environmental Impact Report fails to consider sufficiently the context in which the Bay Area to Central Valley route would run.

A categorization of "low" to "medium" impact on the environment does not sufficiently describe the impact. The Pacheco Pass/CalTrain Right of Way route will have a **devastating** impact on the environment through which it passes. Who determined that the environmental impact on Palo Alto and the Peninsula cities through which the High Speed Rail would pass would be a "low to medium" impact? And by what criteria?

The analysts who decided that obviously were not familiar enough with Palo Alto in particular, to make that determination. Nobody on the High Speed Rail Authority is familiar enough with Palo Alto in particular to arrive at that conclusion. The two members of the Board who live in Northern California are familiar with the two termini, San Francisco and San Jose, but they are not familiar enough with the communities in between through which the train will pass. In fact one member of the HSR Authority told me he thought that there was only one at-grade crossing in Palo Alto instead of the four that actually exist. That is only one indicator of their obliviousness of the HSRA to the context of their project. I193-1

I have lived in Palo Alto for forty-five years, and I feel that I have much more expertise to offer on the subject of the environmental impact on Palo Alto.

Palo Alto has become one of the most desirable communities in the nation to live in. It has benefitted from over 100 years of thoughtful, responsible decisions by our community leaders. What makes this community such a livable, sustainable community is this balance we have between residential, commercial, light industrial, service, transportation, educational, and medical resources. But it is a fragile balance, and this High Speed Rail project will push it past a tipping point from which there will be no return.

The High Speed Rail project going through the heart of this community is way out of scale. It is industrial scale and it belongs in an industrial area. Not going through the premier residential area of Palo Alto, Old Palo Alto. Old Palo Alto abuts the Cal Train tracks. It is a six block deep area from Alma Street to Middlefield Road. It is filled with historic homes and served by Walter Hays School Elementary School at the corner of Middlefield and Embarcadero. Walter Hays Elementary School for several years scored the highest **in the state** on the STAR tests that rank the performance of all the schools in California. I193-1 cont.

If you build the High Speed Rail line on the CalTrain Right of Way you will degrade the neighborhood. Young families will no longer move in to renew the housing stock. The property taxes which are the primary source of revenue for the city will be reduced or remain stagnant so the other resources of the community will suffer—not only the schools but the libraries and parks and community centers. All those resources which contribute so greatly to the quality of life of this most livable sustainable city.

The intrusiveness of this industrial scale project into this premier neighborhood will penetrate at least three blocks to the east of Alma Street if not more. THAT WILL AFFECT **50 %** OF THIS SIX BLOCK DEEP NEIGHBORHOOD! To build this project through this neighborhood is to display brutal disregard for the quality of life of its residents.

This neighborhood has been able to coexist with the present CalTrain Right of Way because it is protected visually by a dense screen of mature trees. These trees will have to be removed to double the right of way to four tracks and there is no visual mitigation possible because there will be no land left on which to plant a screen. And if there were land left to plant the screen, the visual environmental impact would still exist because it would take decades for those new trees to mature. I193-2

Trees, however, do not screen out noise. That was proved several years ago by a study at the University of California and has resulted in the sound walls along California's freeways. But that is an industrial style mitigation which would severely impact the visual environment of Palo Alto's residential neighborhoods. I193-3

Palo Alto's Southgate neighborhood to the west side of the tracks, eligible for the National Register of Historic Places, will be even more affected as their homes lose part of their lot size, thus degrading the amenities of another desirable, thriving neighborhood. And the impact will also be strongly felt in the historic Professorville neighborhood and the historic Greenmeadow neighborhood. All these are thriving residential neighborhoods, which your project will turn into marginal, decaying , and blighted neighborhoods because your Environmental Impact Report failed to correctly assess the impact on them. I193-4

Comment Letter I193 - Continued

So we are left with unmitigated visual and noise pollution. You are creating industrial blight in the service of saving a few minutes travel from San Jose to San Francisco and starting a domino effect of community deterioration. This is the result of your incorrect environmental impact assessment on one of the most livable sustainable communities in the nation. I193-5

Nothing is "green" if it destroys something so livable and sustainable in its path. Nothing is green if it takes every technical facet of the project into consideration and not the quality of life of the people.

As one woman said so simply and eloquently in front of the High Speed Rail Board in San Jose: "What is the environment being saved for if not for people?" Think of the people you are impacting.

That you are not doing that is the fundamental flaw underlining all your environmental impact report efforts.

Choose a route that does not destroy the quality of life of so many people in the Peninsula communities. Spend as much effort solving the challenges of the alternative routes as you are spending trying to force this industrial scale project on residential communities. I193-6

Choose a route that does not damage so much quality of life so that people can be enthusiastic supporters of your project.

No one in Palo Alto would have voted for Proposition 1A if they had been sufficiently informed of the scope of the project and its impact on their environment. Was that a deliberate omission? Are we dealing with a situation that is unethical as well as environmentally destructive? How can we trust State Government to be acting in our best interests if that is true?

Very truly yours,

Virginia Vaughan Saldich

Virginia Vaughan Saldich
vsaldich@hotmail.com

Response to Letter I193 (Virginia Vaughan Saldich, April 20, 2010)

I193-1

As noted in Chapter 3 of the 2010 Revised Draft Program EIR Material, the existing rail right-of-way between San Francisco and San Jose is not sufficiently wide enough to accommodate all tracks and in some location would result in the acquisition of property. The 2008 Final Program EIR ranked property impacts along the San Francisco to San Jose Corridor as low based on the fact that the alignment would be built mostly within the existing publicly owned right-of-way. The information now available indicates a need for limited property acquisition along the right-of-way in narrow areas to allow for a four-track alignment that will accommodate UPRR freight operations. Accordingly, property impacts in this corridor are now ranked between low and medium, rather than low. The proposed alignment in this area would not penetrate three blocks to the east of Alma Street. See also Standard Response 6.

I193-2

The 2008 Final Program EIR assumed that Caltrain and HST would remain within the existing right-of-way at most locations, meaning that trees outside the right-of-way would not be removed, although some trimming could be required for vegetation intruding on the right-of-way. If there is a need to acquire adjacent properties for locations where the current Caltrain right-of-way is not wide enough to accommodate the addition of HST, replacement landscaping could likely be established outside the area required for rail operations. This landscaping could replace that removed for the project. In locations where existing trees are located within Caltrain right-of-way, design and engineering to be undertaken as part of the project-level EIR/EIS will determine if they are located where they cause no interference with the future rail operations.

I193-3

The specific mitigation for noise impacts, including soundwalls, cannot be determined at the program level. Mitigation for noise impacts must be designed around the characteristics of the proposed trainsets and then conducted against established regulatory guidelines. These issues will be undertaken as part of the project-level EIR/EIS analysis and will be used to determine the extent of soundwalls as a noise mitigation tool. This will result in designs for the materials of the soundwalls, locations along the railway where they will be constructed, and an appropriate height. For the visual impact of any potential sound walls, mitigation can include using materials such as wood for their construction, introducing vines to the surfaces of walls, or dense landscaping to obscure them.

I193-4

Impacts of HST construction, operation, and maintenance on the Southgate, Greenmeadow, and Professorville neighborhoods will be further analyzed as part of the project-level EIR/EIS. See Chapter 3 of the 2008 Final Program EIR for a discussion of impacts along the Peninsula. Specifically, Chapter 3.12 of the 2008 Final Program EIR identifies potential impacts and mitigation strategies for cultural resources. Resource-specific cultural resources impacts and mitigation measures will be developed as part of the project-level EIR/EIS and through the Section 106 consultation process.

Under Section 106 of the National Historic Preservation Act (36 CFR § 800), the procedures to be followed at the project level include identification of resources, evaluation of their significance under the National Register of Historic Places and CEQA, identification of any substantial adverse effects, and evaluation of potential mitigation measures. Specific resources within the Area of Potential Effects will be further examined in detail at the project level because the identification of potentially affected resources and project effects and mitigation are dependent on the HST location and system design, and can only be done at the project level. Also see Standard Response 3.

I193-5

The project-level EIR/EIS will make a more detailed assessment of impacts. Specific mitigation to address noise and visual impacts can be developed to address you and your neighbors' concerns.

I193-6

See I072-8 regarding outreach prior to the November 2008 ballot measure. See also Standard Response 6 regarding the requirements of CEQA and quality of life impacts.

Comment Letter I194 (Robert J. Saldich, April 18, 2010)

I194

Robert J. Saldich
27 Crescent Drive
Palo Alto, CA 94301

RECEIVED
APR 22 2010

April 18, 2010

Mr. Dan Leavitt
California High-Speed Rail Authority
925 L Street, Suite 1425
Sacramento, CA 95814

RE: Comments on Bay Area to Central Valley Revised Draft Program EIR

Dear Mr. Leavitt and the High Speed Rail Authority

I am writing to comment on the Draft Program Level Environmental Impact Report (EIR) prepared on the Authority's proposed routing of the system in the San Francisco Bay Area.

I have lived in Menlo Park and in Palo Alto since 1964 and have children and grandchildren living near Alma Street which borders the Cal Train corridor. The impact of High Speed Rail on families in that corridor is significant. I194-1

The issues which are of great concern to me include:

- The predicted frequency of high speed trains operating at or above street grades will result in hugely increased and unacceptable noise and vibration levels.

- Maintaining your commitment to using the Caltrain corridor for four tracks will require removing the thousands of trees which today beautify the train corridor and shield the neighborhoods from visual and sound invasion. I194-2

It is clear that the law requires the Authority to investigate the environmental issues such as I have described. The law requires that you deal with the environmental issues as I have described in this letter. You must identify approaches which will mitigate these impacts on some of the most precious and productive real estate in the world. I194-3

Office: 650 323 7727 Mobile: 650 906 7172
Fax 650 323 7787 rsaldich@yahoo.com

Robert J. Saldich
27 Crescent Drive
Palo Alto, CA 94301

April 18, 2010

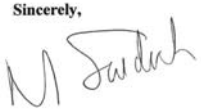
Mr. Dan Leavitt
California High-Speed Rail Authority

The design of the overall project must achieve those goals, or if necessary, the Authority must choose a different alignment or a different project alternative which will achieve an acceptable level of noise and vibration. I194-3 cont.

I am requesting with this letter that you revise the Draft EIR to address and solve my concerns. I look forward to seeing a revised EIR for further review and comments by the public.

Thank you for considering my concerns as CEQA requires.

Sincerely,



Office: 650 323 7727 Mobile: 650 906 7172
Fax 650 323 7787 rsaldich@yahoo.com

Response to Letter I194 (Robert J. Saldich, April 18, 2010)

I194-1

See Standard Response 3.

More detailed information and analysis of nosie and vibration impacts and mitigation will be included in project-level EIR/EISs.

I194-2

The 2008 Final Program EIR assumed that that Caltrain and HST would remain within the existing right-of-way at most locations, meaning that trees outside the right-of-way would not be removed, although some trimming could be required for vegetation intruding on the right-of-way. If there is a need to acquire adjacent properties for locations where the current Caltrain right-of-way is not wide enough to accommodate the addition of HST, replacement landscaping could likely be established outside the area required for rail operations. This landscaping could replace that removed for the project. In locations where existing trees are located within Caltrain right-of-way, design and engineering to be undertaken as part of the project-level EIR/EIS will determine if they are located where they cause no interference with the future rail operations.

I194-3

The Authority disagrees. The current Revised Draft Program EIR Material is part of the Authority's first-tier, programmatic CEQA compliance. The level of detail in the impacts analysis is tailored to the level of detail of the decision under consideration.

The May 2008 Final Program EIR identified general mitigation strategies to avoid or minimize significant environmental impacts. Mitigation strategies are general methods of avoiding and minimizing impacts that can be refined and tailored to project specific circumstances at the next tier of environmental review. The Authority will consider adopting these strategies when it makes a new program-level decision.

The Authority has revised and recirculated certain portions of the May 2008 Final Program EIR as the 2010 Revised Draft Program EIR Material. The purpose of the recirculated material is to comply with the final judgment of the Town of Atherton litigation. The Authority does not believe that additional revision and recirculation is necessary to fully comply with the court judgment and CEQA.

Comment Letter I195 (Martin Sommer, April 14, 2010)

I195

Kris Livingston

From: Martin Sommer [martin@sommer.net]
Sent: Wednesday, April 14, 2010 1:15 PM
To: HSR Comments; Peninsula Rail Program
Subject: SJ to SF AA Feedback - Make Palo Alto University Ave. a "mini-stop"

Thank you for the new SJ to SF Alternative Analysis. I would like to propose the following:

For the moment, assume HSR comes through downtaon Palo Alto "at grade".
The question arises of to have a Palo Alto stop, or not, and what to do with the existing University Ave station?

Background:
- The measurement between the north and south bounds platforms, is 48 feet.
- Standard train width is 10 feet, which allows for 4 trains to pass simultaneously. I195-1
- CHSRA is proposing 4 "shared tracks", with automatic train control.
- The University Ave platforms and tunnel, where just rebuilt last year.

Proposal:
- Make Palo Alto University Ave. a "mini-stop".
- With shared tracks and train control, "share" the north and south platforms between Caltrain and HSR.
- A subset of HSR trains stopping at University Ave, and the rest passing through.
- No additional construction at the station, with the exception of a parking garage west of the station.

Please let me know your thoughts.

Thanks,
Martin

--
Martin Sommer
650-346-5307
martin@sommer.net
http://www.linkedin.com/in/martinsommer

"Turn technical vision into reality."

1

Response to Letter I195 (Martin Sommer, April 14, 2010)

I195-1

Caltrain and HST must be able to operate on the same tracks at the same time. The number of tracks required will be determined by the level of service. The current infrastructure, with a fully signaled and electrified system, will support up to 12 trains per hour per direction of combined Caltrain and HST service. As the level of demand increases, certain locations will need to be expanded to three or possibly four tracks to support more frequent service levels, especially during peak travel times. See Standard Response 10.

The proposal outlined in the comment would need to be assed further against future operating scenarios to determine its viability. The level of detail is beyond that of program-level review.

Comment Letter I196 (Martin Sommer, March 24, 2010)

I196

Kris Livingston

From: Martin Sommer [martin@sommer.net]
Sent: Wednesday, March 24, 2010 11:21 AM
To: HSR Comments
Cc: Peninsula Rail Program
Subject: Re: Comments on: Bay Area to Central Valley Revised Draft Program Environmental Impact Report

Dear California High Speed Rail Authority,

In addition to my prior comment, I have found your document "Appendix 2-F, Station Fact Sheet": http://www.cahighspeedrail.ca.gov/images/chsr/20080523145433_App%202-F_stacked.pdf

Regarding the Palo Alto University Ave. Station, on page 19 you show a drawing with a platform to platform width of 138.4 feet. Please allow me to restate the following: I196-1

"There is a 48 foot clearance between the north and south bound platforms at the University Ave Station. With 10 feet width per train, there is adequate room to run two high speed trains "at grade level" between the two existing Caltrain tracks, without making a stop, and without disturbing the historic station."

In addition, there is a grove of large pine trees between the station and Alma St, that must not be disturbed. I196-2

Please listen to my concerns.

Sincerely,
Martin Sommer
Palo Alto, CA

Martin Sommer wrote:
Dear California High Speed Rail Authority,

I am a home and business owner in Palo Alto, have read your Bay Area to Central Valley Revised Draft Program Environmental Impact Report, and would like to give feedback.

While there are many references to elevated tracks and elevated stations south of San Jose, there are no details given to the recommended elevations though our town of Palo Alto, and specifically the historical Palo Alto University Ave station.

Please do not recommend an elevated track through Palo Alto, and please do not recommend an elevated station at the historic Palo Alto University Ave Caltrain station. My first choice is a tunneled High Speed Rail through Palo Alto, with or without a stop in Palo Alto. I196-3

As a viable second option, there is a 48 foot clearance between the north and south bound platforms at the University Ave Station. With 10 feet width per train, there is adequate room to run two high speed trains "at grade level" between the two existing Caltrain tracks, without making a stop, and without disturbing the historic station. Redwood City, is a better location for a large high speed rail station.

If tunneling is not the final recommended option through Palo Alto, please recommend running the two high speed rails tracks "between to two existing Caltrain tracks", at the University Ave Caltrain station.

1

Thank you,
Martin

--
Martin Sommer
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"Turn technical vision into reality."

--
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"Turn technical vision into reality."

2

Response to Letter I196 (Martin Sommer, March 24, 2010)

I196-1

Comment acknowledged.

I196-2

From the alignment depicted in the 2008 Program EIR, it is likely that the pine trees between the northbound platform at the station and Alma Street would need to be removed to accommodate the HST as designed at the program level.

A detailed impacts analysis of the HST will be undertaken as part of project level engineering and environmental analyses. Operational, construction, and maintenance impacts would be addressed as part of a project-level EIR/EIS. Specific locations and the scale of impacts will be further examined in detail at the project level because they are a product of the HST system design, and the detail necessary to identify the presence of the impact, the level of significance, and mitigation can only be done at the project level. Plans for appropriate replacement landscaping can be developed as part of the project-level EIR/EIS process.

I196-3

Comments noted. The HST plan and profile through Palo Alto are shown on Page 2-E-3 of the 2008 Final Program EIR.

Comment Letter I197 (Marcy Abramowitz, April 26, 2010)

I197

Kris Livingston

From: Marcy Abramowitz [marcy@a2zstrategy.com]
Sent: Monday, April 26, 2010 3:53 PM
To: HSR Comments
Subject: Comments on Bay Area to Central Valley Revised Draft Program EIR
Attachments: 20100426 HSR EIR Response.doc

Please note the attached letter.

Marcy Abramowitz
Principal
A2Z Strategy

marcy@a2zstrategy.com

1

A2Z Strategy
Marketing and Strategy Consultancy

April 26, 2010

Dan Leavitt
California High-Speed Rail Authority
925 L Street, Suite 1425
Sacramento, CA 95814
comments@hsr.ca.gov
Fax: 916-322-0827

RE: Comments on Bay Area to Central Valley Revised Draft Program EIR

Dear Mr. Leavitt and the High Speed Rail Authority:

This letter is to comment on the Draft Program Level Environmental Impact Report (EIR) prepared on the Authority's proposed routing of the system in the San Francisco Bay Area.

I operate a consultancy out of my home in the Felton Gables neighborhood of Menlo Park., at the address noted below. Among other impacts, the Authority's proposed project would create serious adverse impacts to my business and to other businesses in my community, as well as my family, neighborhood, and community at large. The impacts I am talking about are in addition to the impacts that the proposed project would have on the natural environment. I am a business and neighborhood expert with respect to problems I describe below, and I urge the Authority properly to address my comments, as the law requires. I197-1

Here, specifically, are the impacts that I personally know will occur, unless an alternative route is chosen, or unless the project is modified in significant ways:

- Long-term noise and vibration effects will limit my ability to maintain a professional environment from my home office. Specifically, the frequency of trains estimated to run, coupled with the apparently desired aerial construction will transmit loud, unpleasant noise, at a near-constant rate. Vibration impacts, which were insufficiently addressed in your report, are likely to cause negative physical and emotional effects on all who reside at and visit my home. I197-2
- From a visual standpoint, above ground construction will remove trees and homes that currently create a visual (as well as noise) barrier from Caltrain. Currently, I can only see the tops of trains in the winter when leave have dropped. If my neighbors' homes and landscaping are destroyed, this situation will worsened dramatically. I197-3
- More importantly, I have wonderful neighbors, who are integral to the character and general tenor of my neighborhood. Eminent domain takings of yards and possibly homes along the tracks will have a severely detrimental impact on our quality of life. I197-4
- An aerial design for HSR will create dark, dimly visible areas underneath the tracks and/or at grade crossings. These non-daylight areas are likely to obscure vagrants I197-5

360 Lennox Avenue • Menlo Park, California • 94025 • 650.575.7935

Comment Letter I197 - Continued

and potential crimes, creating a dangerous environment out of an otherwise safe neighborhood. I197-5 cont.

- Unless the HSR builds a tunnel, my understanding is that all of the options will require the creation of shoofly tracks, which will exist for the many years of construction. Your plan does not go into any detail on where these would go and what local land, roads, trees, etc. would be impacted. These tracks, which would be at grade would likely decimate local neighborhoods. They will also pose a safety danger to children, as well as adults who cross the tracks, especially those travelling across the tracks to get to school. They would also pose a major challenge to clients coming to meetings at my home office, as well as commuters, and safety workers, such as police and fire. I197-6 I197-7 I197-8

The California Environmental Quality Act (CEQA) requires the Authority to identify ways to eliminate or to mitigate these impacts to the greatest degree feasible. You should redesign the project to include measures to achieve that legal requirement, or choose a different alignment or project alternative that will have that effect. I197-9

I request that you revise the Draft EIR, to address my concerns, and that you then re-circulate a Revised Draft EIR for further review and comment by the public. Thank you for taking my comments and concerns into account.

Yours truly,

Marcy Abramowitz

Marcy Abramowitz
Principal
Marcy@A2ZStrategy.com

2

Response to Letter I197 (Marcy Abramowitz, April 26, 2010)

I197-1

Comment acknowledged. The May 2008 Final Program EIR identified impacts along the Caltrain corridor and identified mitigation strategies to address the impacts. The current Revised Draft Program EIR Material discloses a higher level of land use impacts than previously anticipated. The Authority will consider adopting mitigation strategies to address significant impacts on the natural environment, communities, and neighborhoods when it makes a new decision.

Comment about being a neighborhood or local expert is acknowledged.

I197-2

See Response to Comment I031-2 regarding noise and vibration.

I197-3

The 2008 Final Program EIR assumed that Caltrain and HST would remain within the existing right-of-way at most locations, meaning that trees outside the right-of-way would not be removed, although some trimming could be required for vegetation intruding on the right-of-way. If there is a need to acquire adjacent properties for locations where the current Caltrain right-of-way is not wide enough to accommodate the addition of HST, replacement landscaping could likely be established outside the area required for rail operations. This landscaping could replace that removed for the project. In locations where existing trees exist on the Caltrain right-of-way, design and engineering undertaken as part of the project-level EIR/EIS will determine if they are located where they cause no interference with the future rail operations.

I197-4

See Standard Response 7 regarding Eminent Domain.

I197-5

See Response to Comment I056-2.

I197-6

See Response to Comment 1003-14 regarding construction.

I197-7

See Response to Comment 1003-14 regarding construction.

I197-8

See Response to Comment 1003-14 regarding construction.

I197-9

The May 2008 Final Program EIR identified general mitigation strategies to avoid or minimize significant environmental impacts. Mitigation strategies are general methods of avoiding and minimizing impacts that can be refined and tailored to project specific circumstances at the next tier of environmental review. The Authority will consider adopting these strategies when it makes a new program-level decision.

The Authority has revised and recirculated certain portions of the May 2008 Final Program EIR as the 2010 Revised Draft Program EIR Material. The purpose of the recirculated material is to comply with the final judgment of the Town of Atherton litigation. The Authority does not believe that additional revision and recirculation is necessary to fully comply with the court judgment and CEQA.

Comment Letter I198 (Greg Alden, April 23, 2010)

I198

Kris Livingston

From: Greg Alden [galden@woodsidehotels.com]
Sent: Friday, April 23, 2010 9:39 AM
To: HSR Comments
Subject: The Stanford Park Hotel- High Speed Rail Impact Letter
Attachments: Stanford Park Hotel.LSR. Impact Letter.4.2010.pdf

Dear Mr. Leavitt,

I am an owner of the Stanford Park Hotel in Menlo Park, CA. I believe that our business will be adversely and irreparably impacted under the currently proposed plans. I198-1

Please see the attached letter regarding these concerns.

Greg Alden

Woodside HOTELS
Gregory E. Alden • President & CEO
1100 Alma Street, Suite 106 • Menlo Park, CA 94025
650-330-8899
galden@woodsidehotels.com

1

April 23, 2010

Mr. Dan Leavitt
California High-Speed Rail Authority
925 L Street, Suite 1425
Sacramento, CA 95814

Sent via Email: comments@hsr.ca.gov

RE: Comments on Bay Area to Central Valley Revised Draft Program EIR

Dear Mr. Leavitt and the High Speed Rail Authority:

This letter is to comment on the Draft Program Level Environmental Impact Report (EIR) prepared on the Authority's proposed routing of the system in the San Francisco Bay Area.

I am a business person who lives in Menlo Park. My business is the Stanford Park Hotel, located at 100 El Camino Real, Menlo Park. The Authority's proposed project would have significant impacts to my business and, I believe, to other businesses in this community. Because of those impacts, the project would also adversely affect my family, my neighborhood, and the community at large. I198-2

Due to the Stanford Park Hotel's proximity to the proposed high speed rail lines, there are a number of potential adverse impacts. I do not believe that the high speed rail should run up the Peninsula. Below are some of the impacts that I believe will occur, unless an alternative route is chosen: I198-3

- Potential impacts of imminent domain for additional rail land that could jeopardize our business. I198-4
- Significant noise and disruption caused by the years of construction of the rails that will impact hotel business greatly. We will lose hotel guests and the City will lose the related tax revenue. I198-5
- Significant increase in noise from the train activity that will affect the customers of the Stanford Park Hotel. We will lose hotel guests and the City will lose the related tax revenue. I198-6
- Potential impact on the redwood trees, particularly El Palo Alto tree, that are adjacent to the hotel. This tree adjacent to the tracks is California Historical Landmark #2. I198-7
- Significant bifurcation of our small town by having the new rail lines run through the middle, further exacerbating a west-side and an east-side to Menlo Park. This would be a major blow to the cohesiveness of our special town. I198-8
- Negative aesthetic impact of the new rail lines which will affect our hotel guests and community at large. I198-9

100 El Camino Real • Menlo Park, CA 94025 • (650) 322-1234 • FAX (650) 325-0977
www.stanfordparkhotel.com • www.woodsidehotels.com

Comment Letter I198 - Continued

The California Environmental Quality Act (CEQA) requires the Authority to identify ways to eliminate or to mitigate these impacts to the greatest degree feasible. You should redesign the project to include measures to achieve that legal requirement, or choose a different alignment or project alternative that will have that effect. I198-10

I request that you revise the Draft EIR, to address my concerns, and that you then re-circulate a Revised Draft EIR for further review and comment by the public. Thank you for taking my comments and concerns into account.

Yours truly,

Gregory E. Alden
President/ CEO
Woodside Hotels

Response to Letter I198 (Greg Alden, April 23, 2010)

I198-1

The commenter has expressed concern about impacts as a specific business in Menlo Park. As part of the follow-on preliminary engineering and project-level EIR/EIS effort, site-specific analysis of impacts will be undertaken to determine which properties would be significantly affected and to identify mitigation, if necessary.

I198-2

Comment acknowledged. The May 2008 Final Program EIR identified impacts along the Caltrain corridor and identified mitigation strategies to address the impacts. The current Revised Draft Program EIR Material discloses a higher level of land use impacts than previously anticipated. The Authority will consider adopting mitigation strategies to address significant impacts on the natural environment, communities, and neighborhoods when it makes a new decision.

I198-3

Comment acknowledged.

I198-4

See Standard Response 7 regarding Eminent Domain and Standard Resonse 3.

I198-5

See Standard Responses 3 and 5.
More detailed information and analysis of noise and business impacts during construction and mitigation will be included in project-level EIR/EISs.

I198-6

As discussed in the Response to Comment I198-5, the HST environmental document is a program-level document. The project-level noise analysis will address impacts during operation of the HST, including cumulative impacts from existing and proposed noise sources.

I198-7

El Palo Alto, the old Palo Alto tree, has lived next to the railway since 1863, with the current double-track configuration in place since 1904. The HST tracks depicted in the 2008 Final Program EIR run to the west of the existing tracks, further from El Palo Alto than the existing tracks. As the tree is a historic site, analysis will be undertaken in the project-level EIR/EIS to determine the design and mitigation to make sure the tree is not damaged by the HST.

I198-8

See Response to Comment 1017-4.

I198-9

The HST would generally run within the existing Caltrain right-of-way and efforts will be made to preserve the landscaping screening the railway.

I198-10

The May 2008 Final Program EIR identified general mitigation strategies to avoid or minimize significant environmental impacts. Mitigation strategies are general methods of avoiding and minimizing impacts that can be refined and tailored to project specific circumstances at the next tier of environmental review. The Authority will consider adopting these strategies when it makes a new program-level decision.

The Authority has revised and recirculated certain portions of the May 2008 Final Program EIR as the 2010 Revised Draft Program EIR Material. The purpose of the recirculated material is to comply with the final judgment of the Town of Atherton litigation. The Authority does not believe that additional revision and recirculation is necessary to fully comply with the court judgment and CEQA.

Comment Letter I199 (Don Barnby, April 18, 2010)

I199

169 Spruce Avenue
Menlo Park, CA 94025
dbarnby@comcast.net

April 18, 2010

Mr. Dan Leavitt
California High-Speed Rail Authority
925 L Street, Suite 1425
Sacramento, CA 95814

Re: Comments on Bay Area to Central Valley Revised Draft Program EIR

Dear Mr. Leavitt and the High Speed Rail Authority:

I am writing you to provide formal comment on the Draft Program Level Environmental Impact Report (EIR) prepared on the Authority's proposed routing of the system in the San Francisco Bay Area. The authority's proposed project routing would result in extremely negative impacts on the San Francisco Peninsula. Those impacts would be experienced by me, my family, my neighborhood, and by the natural environment. I199-1

I am documenting eight impacts below and would like you to perform a thorough investigation of routing alternatives as required by law. That law requires you to identify and study in depth ways to eliminate or to mitigate every undesirable impact, and to implement such to the greatest degree feasible. I199-2

I request that you revise the Draft EIR, and then recirculate such Revised Draft EIR for further review and comment by the public.

I am the co-founder and former CEO of Biolog, Inc., a biotechnology company in Hayward, CA, and I have a high level of expertise in creating, understanding and evaluating business plans. The planning and environmental impact analyses of the HSR project that have been performed by HSRA to date are wholly inadequate. I199-3

Please explain how you intend to eliminate or mitigate each and every negative environmental impact listed below, all of which result from the current route that is planned from Pacheco Pass and up the Caltrain corridor. I199-4

Direct Environmental Destruction

1. How do you propose to eliminate or mitigate the visual blight of a twenty foot berm or concrete structure topped with another twenty feet of electrification towers and wires? I199-5

2. How do you propose to eliminate or mitigate the noise and vibration of 200 high speed trains per day running on steel wheels twenty feet in the air through our cities? I199-6

3. How do you propose to eliminate or mitigate the loss of hundreds of beautiful trees that you plan to cut down and replace with concrete and steel? I199-7

4. How do you propose to avoid or mitigate the demolition of hundreds of lovely homes? I199-8

5. How do you propose to eliminate or mitigate the economic loss of the many businesses destroyed along the Caltrain corridor. I199-9

Degradation of the Environment and Quality of Life Resulting from Loss of Tax Revenues in our Communities

6. The planned route bisecting our communities will not only destroy hundreds of homes it will lower the property values of hundreds of others. The result will be a reduction of property tax for our local communities and schools. Likewise the proposed routing will destroy many businesses and further cripple our cities' tax bases. This reduced tax base will result in a reduction in our comunities' abilities to meet their budgets for police, schoolteachers, firefighters, street maintenance, parks, sports fields and the like which contribute mightily to our quality of life. How do you propose to eliminate or mitigate these impacts to our environment. I199-10

7. The planned route from Pacheco Pass is more likely to lose money that the Altamont Pass alternative because it is destined to result in significantly lower ridership. Operating at a loss will have negative quality of life and environmental impact on both the Peninsula and the State overall because any loss will inevitably be born by the State which bleed dollars away from other services such as State Police, state parks, education, etc. in order to pay for operating losses year after year in perpetuity. Maintaining the highest possible ridership is essential to profitability. The Altamont Pass routing to the Peninsula will not only have higher ridership, but will be a shorter and faster route. In addition, it will be cheaper when *all* environmental impacts have been properly considered. HSRA is required to adopt routing that minimizes damage to our environment. How do you plan to mitigate or eliminate the quality of life and environmental impacts that result from State subsidy (or revenue guarantee) due to lower ridership and greater operation loss? I199-11 I199-12

NOTE: HSRA has already begun angling for what they are calling a State bond revenue "guarantee" which they are claiming is separate and distinct from an illegal State "subsidy" which is prohibited by Proposition 1A. I would make two points here: 1) Playing word games does not sidestep the requirement that HSRA provide tangible alternatives to mitigate environmental and quality of life damage, and to implement such alternatives where feasible. 2) Changing the name from "subsidy" to "guarantee" does not eliminate the voter's mandate in passing 1A that the HSR project shall *not* hit the taxpayer's pocket-books.) I199-13

The Destruction of Community Cohesion and Social Fabric

8. Running HSR up the Caltrain corridor breaks the ties within our contiguous neighborhoods and weakens the social fabric of our community. Beyond the physical eyesore and destruction of homes and trees, this fracturing of our communities is one of the most damaging impacts to our environment and quality of life that will result from the current HSRA routing. A raised berm or concrete and steel structure along the Caltrain corridor carrying 200 rumbling trains per day creates an ugly, looming and I199-14

Comment Letter I199 - Continued

ever-present division bisecting our communities – each half of the town becomes, literally, "the other side of the tracks." Such Caltrain routing diminishes and severs the personal and business ties that provide our sense of community. It degrades both our quality of life and business integration.

Sense of community is a fragile entity and is easily destroyed by visual and physical divisions. An example is the Bay itself. While the East Bay is but a modest drive from the Peninsula, it's a long way psychologically. We don't usually think of going to East Bay from the Peninsula to shop, visit friends, go to the movies, etc. It is, indeed, a separate community. Out of sight is, indeed, out of mind. I199-14 cont.

I want to know specifically how HSRA is going to eliminate or mitigate the loss of sense of community that makes our lives here so rewarding.

Summary

There are any number of alternative alignments that will not split our cities with a "Great Wall of China" up the Caltrain corridor causing the eight negative impacts outlined above. They are: I199-15

- Highway 101 corridor
- From the Altamont Pass to the Highway 101
- Highway 280 corridor
- Ending the High Speed Train in San Jose

I would like to see a comparison of each of these four alternative routings with regard to each of the eight negative impacts detailed above (32 analyses in all).

Respectfully,

Don Barnby

cc: Senator Joe Simitian
Assemblyman Ira Ruskin
Menlo Park City Council

Response to Letter I199 (Don Barnby, April 18, 2010)

I199-1

Comment acknowledged. The May 2008 Final Program EIR identified impacts along the Caltrain corridor and identified mitigation strategies to address the impacts. The current Revised Draft Program EIR Material discloses a higher level of land use impacts than previously anticipated. The Authority will consider adopting mitigation strategies to address significant impacts on the natural environment, communities, and neighborhoods when it makes a new decision.

I199-2

The May 2008 Final Program EIR identified general mitigation strategies to avoid or minimize significant environmental impacts. Mitigation strategies are general methods of avoiding and minimizing impacts that can refined and tailored to project specific circumstances at the next tier of environmental review. The Authority will consider adopting these strategies when it makes a new program-level decision. See also Standard Response 10 regarding alternatives.

I199-3

We disagree with the comment and note that the current environmental review process is a first-tier, program EIR process. See Standard Responses 2 and 3.

I199-4

This comment is introductory in nature. See Standard Response 2 regarding the tiered EIR process and Standard Response 3 regarding the level of detail for impacts analysis and mitigation in the program-level EIR. Detailed analysis at the project-level EIR/EIS will evaluate impacts resulting from all phases of the project construction and operation. Feasible mitigation measures will also be discussed at the project-level.

I199-5

A detailed impacts analysis of the HST is currently underway as part of project level engineering and environmental analyses. Specific locations and the scale of impacts will be further examined in detail at the project level because they are a product of the HST system design, and the detail necessary to identify the presence of the impact, the level of significance, and mitigation can only be done at the project level. Along potential retaining or sound walls, the introduction of vines to the concrete surfaces of columns and walls and dense landscaping could be used to obscure columns and walls and soften the look of the concrete. The infrastructure for overhead electrification would be visible, but its visibility would be low. Consider that San Francisco's Union Square is bounded on two sides by overhead wires to power the City's electric buses. These wires and their poles, over busy city streets, are not highly visible and do not comprise part of one's visual memory of Union Square.

I199-6

See Standard Responses 3 and 5.
More detailed information and analysis of noise impacts and mitigation will be included in project-level EIR/EISs.

I199-7

The 2008 Final Program EIR assumed that Caltrain and HST would remain within the existing right-of-way at most locations, meaning that trees outside the right-of-way would not be removed, although some trimming could be required for vegetation intruding on the right-of-way. If there is a need to acquire adjacent properties for locations where the current Caltrain right-of-way is not wide enough to accommodate the addition of HST, replacement landscaping could likely be established outside the area required for rail operations. This landscaping could replace that removed for the project. In locations where existing trees are located within Caltrain right-of-way, design and engineering undertaken as part of the project-level

EIR/EIS will determine if they are located where they cause no interference with the future rail operations.

I199-8

See Standard Response 7.

I199-9

See Standard Response 6.

I199-10

See Standard Response 6 regarding property values.

I199-11

Maximizing ridership and revenue potential is one of the project objectives, identified in Chapter 2 of the 2008 Final Program EIR. The ridership forecasts used in the Program EIR indicate that both Altamont and Pacheco Pass network alternatives have a high level of ridership. See Standard Response 4.

I199-12

The Authority is aware of its obligations under CEQA to consider and adopt feasible alternatives and feasible mitigation strategies to avoid or substantially lessen a project's signifiacnt effects.

I199-13

The Authority intends to comply in all respects with the requirements of Proposition 1A, and to comply with CEQA. The bond funds provided by Proposition 1A may be expended on environmental studies, planning and preliminary engineering, as well as acquisition and construction, and mitigation of direct and indirect environmental impacts. Streets and Highways Code section 2704.04 specifies that proceeds of the bonds for the HST system shall not be used for any operating or maintenance costs of trains or facilities. That section also provides that revenues generated by operations of the HST system above and beyond operating and maintenance costs and financing obligations, are to be used for construction, expansion, improvement, replacement and rehabilitation of the HST system. Proposition 1A does not refer to a revenue "guarantee" or a "subsidy."

I199-14

As noted in Chapter 3.7, Land Use, in the 2008 Final Program EIR, the San Francisco to San Jose corridor would be primarily within an existing active commuter and freight rail corridor and therefore would not constitute any new physical or psychological barriers that would divide, disrupt, or isolate neighborhoods, individuals, or community focal points in the corridor. This resulted in a finding of no community cohesion impacts at the program level. In addition, construction of grade separations where none previously existing would improve circulation between neighborhood areas. The Authority Board committed in July 2008 to investigate profile alternatives to avoid and minimize potential impacts, including trench, tunnel, aerial, and at-grade between San Francisco and San Jose. Although the Authority has rescinded it's July 2008 program decision, the commitment to examine profile alternatives has been carried forward into the project level alternatives screening.

I199-15

See Standard Response 10 regarding alternatives.

Comment Letter I200 (Gail Blumberg, April 18, 2010)

I200

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4/18/10

Dan Leavitt
California High-Speed Rail Authority
925 L Street, Suite 1425
Sacramento, CA 95814

RE: Comments on Bay Area to Central Valley Revised Draft Program EIR

Dear Mr. Leavitt and the High Speed Rail Authority:

This letter is to comment on the Draft Program Level Environmental Impact Report (EIR) prepared on the Authority's proposed routing of the system in the San Francisco Bay Area. The Authority's proposed project routing would extremely significant impacts on the San Francisco Peninsula. Impacts would be experienced by me, my family, my neighborhood, and by the natural environment. I can assure you that I am a genuine "expert" with respect to the impacts of the project you propose. These impacts include, but are not limited to, noise and vibration impacts, view impacts, business impacts, impacts on trees and other vegetation, and increased public safety dangers. Many of the listed impacts could be eliminated, or vastly reduced, by choosing a completely different routing solution. I200-1

I believe the law requires the Authority to do a more thorough investigation of routing alternatives. You have dismissed without adequate analysis the use of existing right of ways along Highway 101 and Interstate 280. The law requires you to identify ways to eliminate or to mitigate the undeniable impacts of the project, and to do this to the greatest degree feasible. I200-2

I request you to revise the Draft EIR, and then recirculate a Revised Draft EIR for further review and comment by the public. The Revised Draft should study the following alternative route

Some possible alternatives include: I200-3

- Highway 101 corridor
- Altamont Alignment to Highway 101
- Highway 280 corridor
- Ending the High Speed Train in San Jose
- Other variations

Thank you for taking my comments and concerns into account, as the California Environmental Quality Act requires.

Yours truly,

Gail Blumberg

Response to Letter I200 (Gail Blumberg, April 18, 2010)

I200-1

Comment acknowledged. The May 2008 Final Program EIR identified impacts along the Caltrain corridor and identified mitigation strategies to address the impacts. The current Revised Draft Program EIR Material discloses a higher level of land use impacts than previously anticipated. The Authority will consider adopting mitigation strategies to address significant impacts on the natural environment, communities, and neighborhoods when it makes a new decision.

Comment about being a neighborhood or local expert is acknowledged.

I200-2

The May 2008 Final Program EIR identified general mitigation strategies to avoid or minimize significant environmental impacts. Mitigation strategies are general methods of avoiding and minimizing impacts that can refined and tailored to project specific circumstances at the next tier of environmental review. The Authority will consider adopting these strategies when it makes a new program-level decision. See also Standard Response 10 regarding alternatives.

I200-3

The Authority has revised and recirculated certain portions of the May 2008 Final Program EIR as the 2010 Revised Draft Program EIR Material. The purpose of the recirculated material is to comply with the final judgment of the Town of Atherton litigation. The Authority does not believe that additional revision and recirculation is necessary to fully comply with the court judgment and CEQA. See also Standard Response 10 regarding alternatives.